



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 21]

शिमला, शनिवार, 3 फरवरी, 1973/14 माघ, 1894

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3 फरवरी, 1973/14 माघ, 1894 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञापित 'प्रसाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुई:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 9-19/68-Tpt., II, dated the 17th November, 1972.	Transport Department	Draft Reciprocal Agreement for the Northern Zone Permit Scheme.
No. 7-30/72 Elec., dated the 29th January, 1973.	Election Department.	Extending the date of completion of election upto 15th February, 1973 of all Gram Sabhas comprised within Sirmur District.
No. 7-19/72-Elec., dated the 29th January, 1973.	-do-	Calling upon all the constituencies (Wards) of Mahal and Karah Gram Sabhas in Bhoranj Block of Hamirpur District.
No. 7-19/72-Elec., dated the 31st January, 1973.	-do-	Extending the date of completion of Elections upto 15th March, 1973 of all Gram Sabhas comprised within Solan District.
संख्या 36-62/72-पंच-ऊना, दिनांक 31 जनवरी, 1973.	पंचायती राज विभाग	अधिसूचना संख्या 36-62/72-पंच-ऊना, दिनांक 11 दिसम्बर, 1972 का शुध्दिपत्र ।
संख्या 36-36/71-पंच(ए), दिनांक 31 जनवरी, 1973.	-do-	अधिसूचना संख्या 36-62/72-पंच (कांगड़ा), दिनांक 3-10-1972 में आंशिक रूप से संशोधन ।
संख्या 36-36/71-पंच-कांगड़ा (बी), दिनांक 31 जनवरी, 1973	-do-	अधिसूचना संख्या 36-62/72-पंच, दिनांक 3 अक्टूबर, 1972 में आंशिक रूप से संशोधन ।
No. 9-7/71-SI (Loans), dated the 19th January, 1973.	Industries Department	The Himachal Pradesh State Aid to Industries Rules, 1972 (Draft Rules).
No. 11-9/71-Co-op. F&S.. dated the 2nd February, 1973.	Food and Supplies Department.	The Himachal Pradesh Guest Control Order, 1973.

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Simla-1, the 8th December, 1972

No. HHC. (Misc.) 6-21/71-13562.—It is hereby notified for general information that the High Court of Himachal Pradesh shall remain closed for winter vacation with effect from Monday the 22nd January, 1973 to Friday the 2nd March, 1973 (both days inclusive).

The offices of the Court will remain open during the period and will receive from the parties and persons such petitions and other documents as they may choose to present. All petitions and applications falling under the Civil Jurisdiction of the Court, as cannot be disposed of at once, will be posted on dates after reopening of the Court. Criminal Appeals, applications etc., shall continue to be heard during this period.

Simla-1, the 8th December, 1972

No. HHC. (Misc.) 6-21/71-13501.—It is hereby notified for general information that the Civil Courts in Himachal Pradesh shall remain closed for annual vacation as under:—

Civil Courts in winter zone comprising the Districts of Simla, Kinnaur, Solan and Lahaul and Spiti will observe the annual vacation with effect from Monday, the 22nd January, 1973 to Tuesday, 20th February, 1973 (both days inclusive).

Civil Courts in summer zone comprising the Districts of Kangra, Chamba, Hamirpur, Una, Mandi, Kulu, Bilaspur and Sirmur will observe the annual vacation with effect from Monday, the 2nd July, 1973 to Tuesday, the 31st July, 1973 (both days inclusive).

By order of the Hon'ble the Chief Justice and Judges.

KEDAR ISHWAR,

Registrar.

Simla-1, the 20th January, 1973

No. HHC/GAZ/3-34/71.—The Hon'ble the Chief Justice and Judges have been pleased to accord sanction to the grant of 6 days' earned leave with effect from the 13th November, 1972 to 18th November, 1972 (both days inclusive), with permission to prefix Sunday falling on the 12th November, 1972, in favour of Shri H. D. Kainthla, Chief Judicial Magistrate, Kangra at Dharamsala.

2. Certified that Shri H. D. Kainthla was likely to return to duty to the station from where he proceeded on leave,

3. Certified that Shri Kainthla would have continued to hold the post of Chief Judicial Magistrate but for his proceeding on leave.

By order.

KEDAR ISHWAR,

Registrar.

हिमाचल प्रदेश सरकार

PERSONNEL (A) DEPARTMENT NOTIFICATIONS

Simla-2, the 16th November, 1972

No. 10-2/68-Apppt.VII.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal

Procedure, 1898 (Act V of 1898), the Governor, Himachal Pradesh is pleased to appoint Shri Asok Kumar Mohapatra, I.A.S. probationer, Assistant Commissioner (U/T), District Simla, to be the Magistrate of First Class within the local limits of Simla district (excluding the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966), with immediate effect.

Simla-2, the 16th November, 1972

No. 10-2/68-Apppt.VII.—In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh is pleased to appoint Kumari Mala Sinha, I.A.S. probationer, Assistant Commissioner (U/T) Simla district be the Executive Magistrate of the First Class, under the said Code to exercise such powers within the local limits of areas of Simla district added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966, with immediate effect.

Simla-2, the 21st November, 1972

No. 10-4/72-DP(Apppt).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure 1898 (Act V of 1898), the Governor, Himachal Pradesh is pleased to appoint Shri K. C. Gupta, General Assistant to the Deputy Commissioner, Simla to be the Magistrate First Class, with all the powers of a Magistrate First Class, under the said Code, to be exercised within the local limits of Simla district (excluding the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966), with immediate effect.

Simla-2, the 30th November, 1972

No. 10-3/72-DP-Apppt.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor, Himachal Pradesh is pleased to appoint Shri C. P. Pandey, Land Acquisition Officer, Mandi to be the Magistrate of Second Class, with all the powers of a Magistrate Second Class, under the said Code, to be exercised within the local limits of Mandi district with immediate effect.

Simla-2, the 30th November, 1972

No. 10-3/72-DP-Apppt.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Governor, Himachal Pradesh is pleased to appoint Shri C. P. Pandey, Land Acquisition Officer, Mandi, to be the Executive Magistrate of Second Class, with all the powers of an Executive Magistrate Second Class, under the said Code, to be exercised within the local limits of Kulu district with immediate effect.

K. K. GOSWAMI,

Joint Secretary.

**PERSONNEL DEPARTMENT
(VIGILANCE)
NOTIFICATION**

Simla-2, the 9th January, 1973

No. 8-5/72-Vig. (Grv.).—Consequent upon the re-organisation of districts, the Governor, Himachal Pradesh is pleased to constitute Himachal Pradesh Grievances Committee at the district level for Una, as under:—

- | | |
|---|-----------------------|
| 1. Minister of State (Elections) | <i>Chairman.</i> |
| 2. Deputy Commissioner, Una | <i>Vice-Chairman.</i> |
| 3. All Members of Parliament of the district | <i>Member.</i> |
| 4. All M.L.As of the district | -do- |
| 5. Superintendent of Police, Una | -do- |
| 6. Chief Medical Officer, Una | -do- |
| 7. S. E., P. W. D. Hamirpur | -do- |
| 8. S. E. 3rd Hydrl Circle, Dharamsala | -do- |
| 9. D.D. P. O. of the district | -do- |
| 10. Conservator of Forests Dharamsala | -do- |
| 11. XEN, P. W. D. Una | -do- |
| 12. District Food and Supply Officer, Una | -do- |
| 13. District Industries Officer, Una | -do- |
| 14. District Education Officer, Una | -do- |
| 15. District Welfare Officer, Una | -do- |
| 16. District Excise and Taxation Officer, Una | -do- |
| 17. D. F. O. Una | -do- |
| 18. District Agriculture Officer, Una | -do- |
| 19. District Animal Husbandry Officer, Una | -do- |
| 20. Treasury Officer, Una | -do- |
| 21. Regional Transport Officer, Una | -do- |
| 22. S. P. R. O., Una | -do- |
| 23. S. D. O. (Civil), Una | -do- |
| 24. District Employment Officer, Una | -do- |
| 25. G. A. to Deputy Commissioner, Una | -do- |

NOTE

(i) In the absence of the Chairmen, the Vice-Chairman will preside over the meeting of the District Committee.

(ii) The Deputy Commissioner will also be the District Grievances Officer and will be assisted by the General Assistant/S.D.O. (District Headquarters) in this respect.

(iii) For each district there will be a fixed date for holding the meeting of the Committee, and every officer who is a member of the Committee shall attend the meeting personally and regularly. In exceptional circumstances the Chairman or, in his absence, the Vice-Chairman may permit an officer to absent himself from the Committee meeting.

2. **Functions.**—The functions of the Committee will be to advise with regard to quick disposal of public grievances, to ensure that Government instructions for the early redressal of grievances are carried out and to undertake enquiries in special cases of undue delays.

At the district level, the D. C. who will function as District Grievances Officer, will entertain all complaints from the public. He will also entertain complaints from retired officials regarding their pension arrears, pay fixation etc. He will not entertain complaints from serving officials, but if any such complaints are received they will be brought to the notice of the Head of the Department, Secretary or the Minister as necessary.

3. **Jurisdiction.**—The jurisdiction of the district level Committee will comprise of the whole District.

The Headquarter of the district level Committee will be at District Headquarters.

4. **Payment of T.A. and D.A. to Members.**—The Non-Official members of Committee will be entitled to draw travelling allowance (Mileage and daily allowance in respect of the journeys that may be performed by them in connection with the work assigned to the Committee as per annexure (A).

The Chief Secretary to the Government of Himachal Pradesh will be the Controlling Officer with regard to the countersigning of the Travelling Bills of the Non-official Members. The T.A. Bills will be prepared by the Department of Personnel Secretariat, Administration.

The expenditure will be debitable to Major Head "19—General Administration-C. Secretariat and attached Officers, C—Civil Secretariat. C. I. (1) (B) Allowances.

This issues with the concurrence of the Finance Department obtained vide their diary No. 2192, dated 15-11-72.

This notification supersedes Grievances Committee or any other committee constitute on the subject at district level, if any.

ANNEXURE A

**T.A. AND D.A. OF NON-OFFICIAL MEMBERS OF
THE HIMACHAL PRADESH GRIEVANCE
COMMITTEE**

TRAVELLING ALLOWANCE:

1. **Journey by Rail.**—(a) **Member of Parliament.**—Members of Parliament will utilise the free first class railway pass issued to them as Members of Parliament in respect of all rail journeys undertaken by them on business of Committee. They will not travel by air-conditioned accommodation at Government expenses. If a Member of Parliament travels by air-conditioned coach, he will pay the difference between the fares for the air-conditioned and first class accommodation from his own pocket. They will be paid incidental charges at the rate of 8 paise per Kilometre for each single journey performed by rail.

(b) **Non-official members other than Members of Parliament.**—They will be treated at par with Government servants of the First Grade, and will be entitled to a single fare of the class of the accommodation actually used, but not exceeding the fare to which the Government servants of the First Grade are normally entitled, i.e. accommodation of the highest class, by whatever name it may be called provided on the railway by which the journey is performed excluding Air-conditioned, plus an allowance for incidental expenses at the rate of 35 paise per every 10 kilometre or part thereof, if the journey exceeds 5 kilometres.

(ii) **Journey by Road.**—In respect of journey by road between places not connected by rail a member will be entitled to road mileage admissible to an officer of the First Grade under the rules and at the rates as applicable to the employees of the Himachal Pradesh Government.

In case where journey between two places connected by rail is performed by road, rail being the ordinary mode of travelling, the road mileage will be regulated as under:—

(1) When a journey is performed by taking a single seat in a public conveyance, he will be entitled to actual fare paid for a seat in a public

conveyance plus incidentals admissible as for journey by rail or the lower rate of road mileage limited to rail mileage, whichever is less.

- (2) When the journey is performed otherwise the higher rate of road mileage, but limited to rail mileage will apply:—

Note.—Non-official members, who are also members of the Vidhan Sabha will be entitled to mileage at the same rate and on the same condition as are applicable to them as Member of Vidhan Sabha to attend the Session.

2. **Daily Allowance.**—(i) The Non-official members other than members of Vidhan Sabha will be entitled to daily allowance for each day of the meeting at the highest rate admissible to a Government servant of the First Grade for the respective locality.

(ii) The members of Vidhan Sabha will be entitled to a daily allowance for each day of meeting at the same rate and on the same condition as are applicable to them as member of Vidhan Sabha to attend the Session.

3. In addition to the daily allowance for the day(s) of the meeting a member shall also be entitled to full daily allowance for the day preceding and/or the day following the meeting if:—

(i) he arrives in the forenoon of the day preceding the day of the meeting or on an earlier day; and/or

(ii) he departs at 12 noon or in the afternoon of the day following the day of the meeting or on a later day. But he will be entitled to only half daily allowance for the day preceding and/or for the day following the meeting if:—

(a) he arrives at 12 noon or in the afternoon of the day of the meeting, and/or

(b) he departs in the forenoon of the day following the day of the meeting.

4. Daily allowance will be subject to the usual conditions laid down in Supplementary Rule 73 as amended from time to time.

5. **Conveyance allowance.**—A Non-official member, resident at a place where the meeting of the Committee is held will not be entitled to travelling and daily allowances on the scales indicated above, but will be allowed only the actual cost of conveyance hire, subject to a maximum of Rs. 10.00 per day. Before the claim is actually paid the Controlling Officer should verify the claim and satisfy himself, after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed. In cases he is not satisfied with the details, he may at his discretion limit the conveyance allowance to road mileage.

If such a member uses his own car, he will be granted mileage allowance at the rate admissible to officials of the First Grade subject to maximum of Rs. 10.00 per day.

6. The Travelling and Daily Allowance will be admissible to a member on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and halts from any other Government source.

7. The Non-official members will be eligible for travelling allowance for the journey actually performed in connection with the meetings of the Committee from and to the place of their permanent residence to be named in advance. If any member performs a journey from a place other than the place of his permanent residence to attend meeting of the Committee of return to a place

other than the place of his permanent residence, after the termination of the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place of permanent residence and the venue of the meeting, whichever is less.

8. The Non-official members who are members of Vidhan Sabha will not be entitled to daily allowance in connection with his assignment, than the Vidhan Sabha or the Vidhan Sabha Committee on which the member is serving is in session, as they will be drawing their daily allowance under the Salaries and Allowance of Members of the Legislative Assembly (Himachal Pradesh) Act, 1963, from the Vidhan Sabha. However, if they certify that they were prevented from attending the session of the House or the Vidhan Sabha Committee and did not draw any daily allowance from the Vidhan Sabha. They would be entitled to daily allowance at the rate as prescribed.

9. In the case of over payment made on account of T.A. to non-official member, the same will be recoverable under the provision of the relevant rules.

10. The members of Parliament and Vidhan Sabha members will also not draw T.A. and D.A. including conveyance allowance which will disqualify them from Parliament and the Vidhan Sabha.

By order,
K. N. CHANNA,
Chief Secretary.

PERSONNEL (A) DEPARTMENT NOTIFICATIONS

Simla-2, the 10th January, 1973

No. 3-17/72-Apptt.—The Governor, Himachal Pradesh is pleased to permit Shri Hardyal Singh, presently posted as Deputy Superintendent of Police, Hamirpur, District Hamirpur to cross efficiency bar at the stage of Rs. 550/- in the pay scale of Rs. 400-30-550/40-750/50-1200 raising his pay to Rs. 590/- P. M. with effect from the 7th September, 1968.

A.K. GOSWAMI,
Joint Secretary.

Simla-2, the 17th January, 1973

No. 3-9/71-Apptt.—In continuation of this Government notification of even number dated the 21st December, 1972, the Governor, Himachal Pradesh is pleased to accord sanction to the grant of 32 days' earned leave more with effect, from 31-12-72 to 31-1-73 (both days inclusive) in favour of Shri K. C. Pandeya, IAS (Himachal Pradesh), A. P. C., Himachal Pradesh.

2. Certified that Shri K. C. Pandeya would have continued to hold the post of Agricultural Production Commissioner but for his proceeding on leave.

3. The Governor, is further pleased to order that Shri Gangesh Misra, IAS (HP-1958) shall continue to officiate as Agricultural Production Commissioner-cum-Secretary to the Government of Himachal Pradesh during the absence of Shri Pandeya on leave.

K. N. CHANNA,
Chief Secretary.

Simla-2, the 17th January, 1973

No. 1-17/68-Appdt. (I).—In continuation of this Department's notification of even number, dated the 7th September, 1972, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to extend the *ad hoc* appointment of Dr. B. S. Jogi, a permanent Deputy Director of Agriculture (Crops Research), as Director of Agriculture, Himachal Pradesh, in the scale of Rs. 1800-100-2000-125/2-2250, for a further period of six months with effect from 1-9-1972 to 28-2-1973 or till the post is filled on a regular basis, whichever is earlier.

Simla-2, the 12th January, 1973

No. 10-2/68-Appdt. (II).—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Governor, Himachal Pradesh is pleased to appoint Shri R. L. Mehta, Sub-Divisional Officer (Civil), Jogindernagar, District Mandi to be the Magistrate of First Class under the said Code to exercise the powers as such within the local limits of Sub-Division, Jogindernagar, with immediate effect.

2. In exercise of the powers conferred by section 13 of the Code of Criminal Procedure, 1898, (Act V of 1898), the Governor, Himachal Pradesh is further pleased to place Shri R. L. Mehta, Incharge of the Sub-Division, Jogindernagar of District Mandi to be called as Sub-Divisional Magistrate, Jogindernagar, District Mandi.

Simla-2, the 18th January, 1973

No. 3-39/66-Appdt.—The Governor, Himachal Pradesh is pleased to accord sanction to the grant of 24 days' earned leave with effect from 22-1-1973 to 14-2-1973, in favour of Shri P. A. Sharma, a member of Himachal Pradesh Administrative Service presently posted as Director of Departmental Enquiries, Himachal Pradesh, Simla.

2. Certified that Shri P. A. Sharma, H.P.A.S. would have continued to officiate as Director of Departmental Enquiries, Himachal Pradesh, Simla but for his proceeding on 24 days' earned leave.

3. Certified that after the expiry of leave, Shri P. A. Sharma, Director of Departmental Enquiries, Himachal Pradesh will return to duty to the station from where he proceeds on leave.

4. The Governor is further pleased to order that during the absence of Shri P. A. Sharma on leave, Shri Narain Singh, Vigilance Officer, Himachal Pradesh shall hold the additional charge of the post of Director, Departmental Enquiries, in addition to his own duties.

A. K. GOSWAMI,
Joint Secretary.

FINANCE DEPARTMENT

(TREASURIES AND ACCOUNTS ORGANISATION) NOTIFICATION

Simla-2, the 30th November, 1972

No. 17-37/72-Fin.(T&A).—The Governor of Himachal Pradesh is pleased to promote Shri Sudershan Kumar Duggal, Senior Auditor in the pay scale of Rs. 300-25-600 as officiating Assistant Accounts Officer on *ad hoc* basis in the pay scale of Rs. 350-25-500-30-590/30-830-35-900 for a period of three months or till the post is filled up on regular basis, whichever is earlier and post him as such in the office of the Chief Engineer, Himachal Pradesh P.W.D., Simla against a vacant post.

M. M. SRIVASTAVA,
Secretary.

FOOD AND SUPPLIES DEPARTMENT CORRIGENDUM

Simla-2, the 6th November, 1972

No. 9-16/69-Co-op. F & S.—Substitute the words "Land Acquisition Collector-cum-S.D.O.(Civil) Kangra" for the words "Land Acquisition Collector Kangra district" wherever appearing in the notification of even number dated the 20th April, 1972, regarding the acquisition of land in Tika Bala, Mauza Kir-Chamba, Tehsil Kangra for construction of foodgrains godown.

GANGESH MISRA,
Secretary.

FOREST DEPARTMENT NOTIFICATIONS

Simla-2, the 28th October, 1972

No. 7-1/72-SF.—Whereas it is considered necessary that the rights of the private persons in the portions of the undermentioned forests prescribed in the attached Schedule should remain suspended for a period of 10 years or for such a shorter period as may be deemed sufficient for the purpose of re-generation, whereas the remainder of such forests are sufficient for the due exercise of the rights and whereas it is considered necessary to prohibit the doing of any or all of the acts mentioned in clause (c) of section 30 of the Indian Forest Act, 1927 (XVI of 1927).

2. Now, therefore, in exercise of the powers conferred by section 30 of the Indian Forest Act (XVI of 1927), the Governor of Himachal Pradesh is pleased to declare that the portions of the forests as per Schedule attached shall be closed for a period of 10 years or for such a shorter period as may be deemed sufficient from the date of this notification and the rights of the private persons over such portion shall remain suspended during the said period and he is further pleased to prohibit from the date of this notification, the collection or removal of forest produce from portion so closed except with the permission of Divisional Forest Officer, Kangra Forest Division, Dharamsala, Kangra district, Himachal Pradesh.

Sl. No.	Tehsil	Name of Forest		Area in acres	Particulars of the portion to be closed		
		Mauza	Tika		Khasra No.	Area	Boundaries
1	2	3	4	5	6	7	8
1.	Dehra	Chokath	V. C. Sill (Sindhgal)	48	1 2	2 8	14 4

Tika. Sandgal

East: UP. Sill and Nalla and Tika Kona

1	2	3	4	5	6	7	8
				3	0	14	West: UP. Sill and Nalla and Tika Kona
				4	319	4	North: UP. Sill and Nalla Tika Driu
				5	7	14	
				Total ..	388	10	South: Boundary Tika Sundangal and Malkiyati acrea.
				Tika: Katoi Sudran			
				301/1	45	13	
				320/1	102	3	
				321	2	13	
2.	Dehra	Bohan	Kalidhar	75	1 & 3/1	793 19	East: U. F. area of Bohan and path West: U. F. area of Bohan and path Tika Ghalaaur Bohan. North: U. F. Bohan Tika Samletar South: U. F. Bohan Tika Samletar and Nalla.
3.	Dehra	Thill	Bharoli	57	667 & 677 1240	405 11 199 7	East: Private area West: Private area and Nalla North: Tika Parera South: Ban Sarkar area
				Total ..	604	18	
4.	Dehra	Babrol	Nahlian	50	635 & 636	513 13	East: Private area and Ban Sarkar West: Tika Pathrealy (Habrol) North: Private Malkiyati area South: Tika Meira (Babrol)
5.	Dehra	Larol	Kalru	60	Tika: Kalroo		
				127	51	15	East: Tika Rehana Gahlia.
				131/1	40	16	
				131	31	4	West: Boundary to Tika Saproo, and Tika Bakhuman.
				294	126	6	North: Tika Ban Khuna
				293	42	1	South: Private area
				Total:	292	12	
				Tika: Saproo			
				1	10	18	
				2	42	6	
				4	19	9	
				5	1	6	
				6	8	2	
				57	28	7	
				58	9	0	
				60	12	19	
				61	18	2	
				352	113	10	
				353	19	2	
				350	13	0	
				351	35	17	
				349	8	6	
				Total ..	340	4	
				G. Total ..	632	16=60	Acres.

Simla-2, the 18th January, 1973

No. 7-5/72-SF.—In pursuance of the provisions of clause (b) of Section 30 of the Indian Forest Act, 1927 and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to declare that the portion of the protected forests specified in the schedule to this notification and situated in Kulu district, shall be closed for a period of fifteen years for re-generation from the date of issue of this notification or for such a shorter period as

may be found sufficient and that the right of private persons to pasture and forest produce in or over the said areas shall be suspended during the said period.

SCHEDULE

District: KULU

Tehsil: KULU

Sl. No.	Kothi	Name of closure	Total area of Kothi	Area in Hac. to be closed	Boundaries	Remarks
1	2	3	4	5	6	7
1.	Kotkandhi	Kashambli Dhar C/A	2257.20	24.00	North: Village Path South: Hurla Khad East: Cultivation. West: III Class Forest.	Closed to all rights except the right of way and water, by specified route for fifteen years.
2.	-do-	Naresh No. I	2257.20	20.00	North: Village Bahemi. South: Village Naresh. East: Osan Benala Village. West: III Class Forests.	-do-
3.	Naresh No. II.		2257.20	12.00	North: Village Bahemi. South: Bhuntar Garsa road. East: Bahami Nalla. West: Cultivation.	-do-
4.	-do-	Bhuin Thela No. II	2257.20	80.00	North: III Class Forests. South: Bhuin Tehla old area. East: K. K. III. West: Cultivation land and P.W.D.	-do-
5.	-do-	Chatti Behal	2257.20	16.00	North: Beas River. South: Beas River. East: Foot Path. West: Beas River.	-do-
6.	Bhallan	Pakhiana Dhar	5877.60	20.00	North: III Class Forest. South: III Class Forest. East: Cultivation land. West: III Class Forest.	-do-
7.	Kais	Phaota Phat	6626.00	70.00	North: Baladhi Village. South: Talpari Nal. East: Parbati River. West: Cultivated land.	-do-
8.	Chong	Chong Dhar	1100.00	20.00	North: P.W.D. Road and Private land. South: Chang Village. East: Village Chhani and old closed area Chong. West: Private land.	-do-
9.	Kot Kandhi	Chhaunr Khaner	2257.20	40.00	North: P.W.D. Road. South: Village Chharor Nala. West: Village Kot Luthana.	-do-
10.	Baragnar	Meha III	7192.00	50.00	North: Meha Village. South: Rohasan Nal. East: III Class Forest. West: III Class Forest.	-do-
11.	-do-	Bran Nalla	7192.00	10.00	North: III Class Forest. South: -do- East: -do- West: -do-	-do-

1.	2	3	4	5	6	7
12.	Naggar	Archhandi L/S	12752.00	16.00	North: III Class Forests. South: -do- East: Cultivation. West: 1st Class Forest	Closed to all rights except the right of way and water, by specified route for fifteen years.
13.	-do-	Mahili Khaner and Seoni Dhar.	12752.00	12.00	North: Nautor Nalla. South: III Class Forest. East: Cultivation land. West: Cultivation land.	-do-
14.	Raison	Banchi C/A	761.00	40.00	North: Benchi Village. South: Matiana Nala. East: Kulu Mandi P.W.D. Road. West: Cultivation of Kharka and Khargan villages.	-do-
15.	Tauapur Kothi.	Bopru Khaner	1066.00	20.00	North: Sarbari Khad. South: P.W.D. Road. East: P.W.D. Road. West: Cultivated land.	-do-

By order,
P. K. MATTOO,
Secretary.

HEALTH AND FAMILY PLANNING DEPARTMENT NOTIFICATION

Simla-2, the 15th January, 1973

No. 1-114/72-H/FP.—The Governor, Himachal Pradesh is pleased to appoint Dr. Murari Lal Mahajan as Civil Assistant Surgeon Grade I in the scale of Rs. 350-25-500-30-590/30-830-35-900 on *ad hoc* basis for a period of one year from 11th September, 1972 (A.N.) or till post is filled up on regular basis, whichever is earlier.

A. D. DHANTA,
Under Secretary.

HOME DEPARTMENT NOTIFICATION

Simla-2, the 27th September, 1972

No. 5-17/60-Home.—Whereas it appears to the Governor of Himachal Pradesh that land is likely to be required to be taken by the Central Government at public expense for a public purpose, namely for Defence purposes, it is hereby notified that land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within

30 days of the publication of this notification, file an objection in writing before the Collector of Kangra tehsil.

SPECIFICATION

District: KANGRA Tehsil: KANGRA

Locality	Area
BANI	10.34 Acres (109 Kanal 1 Marla) Khasra Nos. 639/1, 644, 650, 651, 464/1, 616, 617, 618, 619, 620, 621, 623/1, 624/1, 625/1, 626/1, 645/1, 646/1, 647/1, 652, 656/1, 654/1, 642/1, 648, 649, 655/1, 607, 609/1, 606, 611, 604, 605, 608, 610/1, 613, 614, 603/1, 600/1, 471/1, 468/1, 653, 657, 641/1, 168/1, 478/1, 478/2, 615/1, 627/1, 658, 659/2, 602/1, 643, 622, 612, 601/1, 640/1;

By order,
K. N. CHANNA,
Chief Secretary.

HORTICULTURE DEPARTMENT CORRIGENDUM

Simla-2, the 12th January, 1973

No. 6-9/70-Agr. (Sectt).—The Governor, Himachal Pradesh is pleased to order that para 1 provision of funds annexed to Notification No. 6-9/70-Agr. (Sectt.), dated the 21st October, 1972 be substituted as under:—

"The funds will be placed at the disposal of the Director of Horticulture, Himachal Pradesh. The Director of Horticulture, Himachal Pradesh, will be the Controlling Officer of the scheme and the Deputy Directors of Horticulture Himachal Pradesh District Horticultural Officers and all the Block Development Officers as Drawing and Disbursing Officers of the loan".

2. The Governor, Himachal Pradesh is further pleased to order that for the words "Horticultural Development Officers" wherever appearing in the annexure to the aforesaid notification, the words "District Horticultural Officers" be substituted.

3. This issues with the concurrence of the Finance Department vide their U.O. No. 3462, dated 7th December, 1972.

GANGESH MISRA,
Secretary.

INDUSTRIES DEPARTMENT NOTIFICATIONS

Simla-2, the 4th December, 1972

No. 8-18/72-SI.—In supersession of all the previous Notifications issued in this behalf, the Governor of Himachal Pradesh is pleased to divide the State of Himachal Pradesh into 10 Circles for the proper implementation of various labour laws as under:—

S.No.	Name of Circle	Headquarters	Jurisdiction
1.	Simla	Simla	Simla and Kinnaur districts
2.	Solan	Solan	Solan district
3.	Sirmur	Nahan	Sirmur district
4.	Bilaspur	Bilaspur	Bilaspur district
5.	Hamirpur	Hamirpur	Hamirpur district
6.	Kangra	Palampur	Kangra district
7.	Una	Una	Una district
8.	Chamba	Chamba	Chamba district
9.	Mandi	Mandi	Mandi district
10.	Kulu	Kulu	Kulu and Lahaul & Spiti districts.

2. Each Circle will be under the charge of an Inspector appointed for this purpose.

3. The Governor of Himachal Pradesh in exercise of the powers vested in him under the provisions of the following Acts and Rules is further pleased to appoint each Inspector within his respective jurisdiction as Inspector or Additional Inspector or Inspecting Officer as the case may be, under the said Acts and Rules:—

- Sub-section 3 of section 14 of the Payment of Wages Act, 1936;
 - Section 19 (1) of the Minimum Wages Act, 1948;
 - Section 6 of the Employment of Children Act, 1938;
 - Section 17-B of the working Journalists (Conditions of Service) Miscellaneous Provisions Act, 1955;
 - Section 4(1) of the Motor Transport Workers Act, 1961;
 - Section 27 of the Payment of Bonus Act, 1965;
 - Section 8(5) of the Factories Act, 1948;
 - Sub-section (1) of section 19 of the Himachal Pradesh Shops & Commercial Establishments Act, 1969;
 - Sub-section (1) of section 7 of the Himachal Pradesh Industrial Establishments (National and Festival Holidays and Casual and Sick Leave) Act, 1969;
 - Section 14 of the Maternity Benefit, Act, 1961;
 - Section 4 (1) of the Plantations Labour Act, 1951; and
 - Sub-section (1) of section 28 of the Contract Labour (Regulation and Abolition) Act, 1970.
- This order will take immediate effect.

Simla-2, the 6th December, 1972

No. 10-64/71-SI.—In exercise of the powers conferred by sub-section (2) of section 5 of the Minimum Wages Act, 1948 (Central Act No. 11 of 1948), and after considering the advice of Minimum Wages Advisory Board, Himachal Pradesh, the Governor, Himachal Pradesh, is pleased to fix and revise the minimum rates of wages (all inclusive minimum rates of wages) in Himachal Pradesh in the following scheduled employments which had already been notified vide this Department's notification of even number, dated the 19th August, 1972:—

EMPLOYMENT IN AGRICULTURE

Sr.No.	Name of categories of employees	Revised rates daily	Monthly
1.	Male adult	Rs.3.75	Rs.112.50
2.	Female adult	Rs.3.75	Rs.112.50
3.	Adolescent	Rs.3.37	Rs.101.10

Note.—above rates are all inclusive and minimum rates of wages.

The above rates will come into force with immediate effect in all cases excepting Government Departments where these will come into force with effect from 1st July, 1972.

Simla-2, the 18th January, 1973

No. 2-170/69-SI.—In exercise of the powers vested in him under section 5 of the Factories Act, 1948 (Act No. 63 of 1948), the Governor of Himachal Pradesh is pleased to grant exemption from the provisions of sections 51, 52 and 79 of the said Act for a period of 3 months in favour of the Himachal Pradesh Government Press, Simla-3, subject to the following Conditions:—

Conditions: Exemption under section 79 is granted to the extent that leave may be refused where necessary in the exigencies of the services except in case of illness and to provide for accumulation of leave without limit so that the workers do not lose the benefit of leave so refused.

This exemption will take effect from the 25th September, 1972.

By order.
P. K. MATTOO,
Secretary.

LAW DEPARTMENT NOTIFICATION

Simla-2, the 18th January, 1973

No. 107-325/56-II.—In pursuance of the provisions of section 6 of the Notaries Act, 1952 (53 of 1952) read with rule 17 of the Notaries Rules, 1955, the Governor, Himachal Pradesh, is pleased to publish in the Himachal Pradesh Government Gazette a list of Notaries appointed by the Himachal Government and in practice at the beginning of this year.

LIST OF NOTARIES

Sr. No.	Name of Notary	Residential and Professional address	Qualifications
1.	Shri Ram Krishan Gupta.	Pleader, Abbey Feale, Lakkar	Practising as a Pleader.

Sr. No.	Name of Notary	Residential and Professional address	Qualifications
		Bazar, Simla. Pleader Simla, District, Simla.	

Area in which he is authorised to practice

Remarks

5
Simla and Solan districts.

6
Originally the certificate of practice under rule 8 (3) was given with regard to Mahasu district on the 6th July, 1965 and renewed from time to time upto 6th July, 1974 and the areas of jurisdiction was further extended to Simla district under Rule 8-A of the Notaries Rules, 1956 vide notification No. LR. 107-323/50-II, dated the 4th March, 1970. With the creation of two Districts i.e. Simla and Solan by merging erstwhile two Districts of Mahasu and Simla, the area of practice of this Notary extends to the territorial jurisdiction of Simla and Solan districts.

By order,
JOSPH DINA NATH,
Deputy Secretary.

PUBLIC WORKS DEPARTMENT NOTIFICATIONS

Simla-2, the 16th September, 1972

No. 2-35/70-PWD.—Whereas the Governor, Himachal Pradesh is satisfied that land is needed by the Government at the public expense, for a public purpose, namely for the construction of Jutogh-Subathu-road in Simla district, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, U.S. Club, Simla-1 is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Land Acquisition Collector, Simla, Bilaspur, and Mahasu districts, Simla-1 and the Executive Engineer,

Simla-2, the 22nd November, 1972

No. 1-25/69-PWD-III.—The following postings and transfers of Assistant Engineers, Himachal Pradesh Public Works Department are hereby ordered in the public interest, with immediate effect:—

Sl.No. 1	Name 2	From 3	To 4
1.	Shri Mool Raj Dogra	On promotion	A.E.P.H.Sub-Division (vacant post). Chintgurni
2.	Shri Dilbagh Singh	-do-	A.E.Simla Sub-Division IV vice Shri K.S. Daulta.
3.	Shri K. S. Daulta	A.E.Simla Sub-Division IV.	A.E.I&D Sub-Division, Simla (vacant post).
4.	Shri Sham Murti	On promotion	A.E.P.H. Sub-Division Nadaun (vacant post).

Simla Division No. 2, Himachal Pradesh Public Works Department, Simla-4.

SPECIFICATION

District: SOLAN

Tehsil: KANDAGHAT

Village

Khasra No.

Area
Big. Bis.

PLASTA PANJROL
TUKARI

482/1
98/1

4 7
6 5

Simla-2, the 24th October, 1972

No. 2-35/70-PWD.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of motorable road from Khalini to Kasumpti. It is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of the said land in the locality may within thirty days of the publication of this notification file, an objection in writing before the Collector, Land Acquisition U.S. Club, Simla-1.

SPECIFICATION

District: SIMLA

Tehsil: SIMLA

Locality

Approximate area

Village

Khasra No.

Area
Big. Bis.

KHALINI

5
6 min

1 15
3 0

Total .. 4 15

H. S. DUBEY,
Secretary.

1	2	3	4
5.	Shri Karam Singh	On promotion	A.E., Solan Sub-Division No. 2 vice Shri K. L. Handa.
6.	Shri K. L. Handa	A.E.Solan Sub-Division No. 2.	A.E., Namhol Sub-Division.
7.	Shri Ram Chand Saini	On promotion	A.E., Nirmand Sub-Division vice Shri Sadhu Ram, since transferred.
8.	Shri Ram Parkash Sharma.	-do-	A.E., I.&D., Sub-Division, Hamirpur (vacant post).
9.	Shri Surinder Kumar Chandel	A.E.Planning & Design Unit, Simla	ASOW, IV Circle, Simla vice Shri M.P. Aggarwal, (being sent on deputation to Himachal Pradesh University.
10.	Shri K. K. Gupta	On promotion	A.E., Kalpa (against a vacant post).
11.	Shri Om Parkash	-do-	A.E., Flood Control Sub-Division, Mandi (vacant post).
12.	Shri V. K. Malhotra	-do-	A.E., P.H., Sub-Division Bilaspur (vacant post).
13.	Shri Yoginder Kumar	-do-	A.E., I.&D., Sub-Division, Solan vice Shri R. C. Goel, transferred.
14.	Shri R. C. Goel	A.E.I.&D. Sub-Division, Solan.	A.E., Oachghat Sub-Division vice Shri Sham Dass transferred.
15.	Shri Sham Dass	A.E. Oachghat, Sub-Division.	A.E., P.H. Sub-Division, Solan.
16.	Shri Ravi Bhushan Mehta	On promotion	A.E., B&R Sub-Division, Shaloo under Jubba Division (vacant post).
17.	Shri Om Parkash Sharma	-do-	A.E., Flood Control Sub-Division, Nahan (vacant post).
18.	Shri Baij Nath	-do-	A.E., Flood Control Sub-Division, Una (vacant post).
19.	Shri Krishan Lal	-do-	A.E., P.H. Sub-Division Nahan.
20.	Shri Prem Chand Gupta	-do-	A.E., P.H. Sub-Division Narkanda.
21.	Shri Rajinder Parsad Sharma	-do-	A.E., Dhaliara Sub-Division vice Shri Dinesh Kumar Kaushal, who has been placed at the disposal of Himachal Pradesh University.
22.	Shri V. K. Bhandari	A.S.O.W., III Circle, Solan	A.E., N.H. Sub-Division No. 3, Solan vice Shri R. S. Thakur, since resigned.
23.	Shri Daya Krishan	On promotion	Engineer Officer IV Circle, Simla vice Shri Darshan Kumar transferred.
24.	Shri Darshan Kumar	E.O. IV Circle, Simla	A.E., P.H. Sub-Division Nalagarh (vacant post).
25.	Shri A. P. Dabral	In transit	A.E., Renuka Sub-Division vice Shri Kulwant Singh transferred.
26.	Shri Kulwant Singh	A.E.Renuka Sub-Division	A.E., P.H. Sub-Division, Rampur (vacant post).
27.	Shri Shakti Parshad Mahajan	On return from leave	A.E., P.H. Sub-Division, Theog.
28.	Shri Bal Krishan Sekhri	On promotion	E.O., 5th Circle, Dharamsala (vacant post).
29.	Shri Kedar Nath	-do-	A.E., P.H. Sub-Division Palampur (vacant post).
30.	Shri Wazir Singh Pathania	-do-	A.E., Chattri Sub-Division (under Karsog Division).
31.	Shri H. S. Bisht	-do-	A.E., P.H. Sub-Division Mandi (vacant post).
32.	Shri Baldev Singh, Padha	-do-	A.E., Janjehli Sub-Division (vacant post).
33.	Shri Nirmal Singh	-do-	A.E., P.H. Sub-Division Chamba (vacant post).
34.	Shri H. S. Sambhi	On leave	E.O., 6th Circle, Kulu.
35.	Shri R. C. Sharma	A.S.W., 2nd Circle, Simla	A.S.W., 5th Circle, Dharamsala.

2. The promotees will move first and the others will also be relieved immediately by making necessary arrangement. All the officers will be entitled to usual joining time and transfer T.A. as admissible under the rules.

B. D. SHAUNAK,
Under Secretary.

Simla-2, the 8th December, 1972
No.* 1-98/0-PW.—Please substitute "Investigation Division" for "I&D Division" and "I&D" occurring under columns "To" and "From" against serial Nos. 1 and 2,

respectively, of this Government notification No. 1-98/70-PW, dated the 13th September, 1972.

H. S. DUBEY,
Secretary.

Simla-2, the 8th January, 1973

No. 2-33/70-P.W.D.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Kurpan Kuhl in Nirmand, Kulu, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged, in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh, Public Works Department, Kasumpti, Simla-9.

SPECIFICATION

District: KULU

Tehsil: NIRMAND

Village	Khasra No.	Area Big. Bis.
FATI ARSU	1421	5 14
	1417	31 3
	1395	8 2
	1397	4 16
	1367	6 3
	1381	1 14
	1380	0 11
Total	..	58 3

By order,
H. S. DUBEY,
Secretary.

REVENUE DEPARTMENT NOTIFICATIONS

Simla-2, the 10th January, 1973

No. 2-1/72-Rev. I.—In exercise of the powers vested in him under clause (b) of sub-section (1) of section 27 of the Punjab Land Revenue Act, 1887, as in force in the territories added to Himachal Pradesh, under section 5 of the Punjab Re-organisation Act, 1966, and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to confer on Shri J. P. Soni, General Assistant to Deputy Commissioner, Una, powers of an Assistant Collector First Grade under the said Act, to be exercised by him within the local limits of Una district, from the date he took over the charge of the post.

By order,
K. C. CHAUHAN,
Under Secretary.

Simla-2, the 16th January, 1973

No. 4-45/72-Rev. Cell.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of "Pandoh

Dam Reservoir from RL 2900' to RL 2950' in Village Hanogi, Tehsil Sadar, District Mandi, Himachal Pradesh", it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provision of section 7 of the said Act, The Land Acquisition Collector, Beas-Sutlej Link Project, Mandi is hereby directed to take order for the acquisition for the said land.

3. A plan of the land may be inspected in the office of the Land Acquisition Collector, Beas-Sutlej Link Project, Mandi, Himachal Pradesh.

SPECIFICATION

District: MANDI

Tehsil: SADAR

Village	Khasra No.	Area Big. Bis. Bisw.
HANOGI	189/1	0 1 16
	189/2	0 8 8
	191	0 1 0
	193/1	0 16 19
	193/1	0 3 4
	194	0 1 1
	195	0 0 14
	196	0 1 0
	207	1 12 16
Total	..	3 6 18

By order,
L. HMINGLIANA TOCHHAWNG,
Secretary.

OFFICE OF THE SECRETARY, STATE TRANSPORT AUTHORITY,

OFFICE ORDER

Simla-1, the 30th December, 1972

No. STA-28(38) 71-Acctts.—In exercise of the powers vested in me under rule 1.26 of the Himachal Pradesh Financial Rules Vol. I, I hereby declare the Regional Transport Officer, Simla as Head of Office, Drawing and Disbursing Officer, in respect of the staff working at Simla, Dharamsala and Mandi, under major head "11-Taxes on Vehicles-A-Charges of Collection-Non Plan", for the period 30th December, 1972 to 17th January, 1973 only, as the undersigned would be away on tour. The Regional Transport Officer, Simla will also function as Controlling Officer for the purpose of T. A. etc. in respect of class III and IV employees.

Y. D. SANADHYA,
Secretary.

TOURISM DEPARTMENT CORRIGENDUM

Simla-2, the 30th November, 1972

No. 1-30/72(Seect.)-TD.—Please read 1st September, 1972 and 1st December, 1972 for 1st October, 1972, each occurring in the 2nd line and 8th line respectively of this Department notification of even number, dated 1st October, 1972, regarding the placing of services of employees of Tourism Department at the disposal of Himachal Pradesh Tourism Development Corporation on foreign service.

H. S. DUBEY,
Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

OFFICE OF THE DEPUTY COMMISSIONER SIMLA DISTRICT CORRIGENDUM

Simla, the 10th January, 1973.

No. 20/DN/73.—In the Corrigendum of erstwhile Collector, Mahasu No. 3516, dated the 7th August, 1972 in Form J published in Himachal Pradesh Rajpatra, dated the 16th September, 1972, the following corrections are ordered:—

1. In the third line for the figure, "3-13", the figure **●** bighas 11 biswas shall be read;
2. In the same line for the figure, "3-11", the figure 3 bighas 13 biswas shall be read;

Sd/-
Collector,
Simla.

CO-OPERATIVE DEPARTMENT ORDER

Nahan, the 5th January, 1973

No. CS, 1 (14)/60-121.—In supersession of this office order No. CS, 1 (14)/60-4107, dated 3rd August, 1971, I, U. S. Jaswal, Assistant Registrar, Co-operative Societies, Sirmur District, Nahan, in exercising of the powers conferred upon me under section 79 of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969) read with the Himachal Pradesh Government notification No. 5-8/69-Co-operative (S)-III, dated 4th June, 1971, do hereby appoint the Inspector Co-operative Societies (Headquarters) Nahan, as Liquidator of the Naveen Co-operative Industrial Society Ltd., Nahan in place of the Circle Inspector Co-operative and Supplies, Nahan.

The said Inspector is also delegated all the powers under section 80 of the *ibid* Act exercisable in respect of the abovenamed society. He should complete the liquidation proceedings within one year from the date of issue of this order, and submit his final report to this office.

U. S. JASWAL,
Assistant Registrar,
Sirmur district, Nahan.

OFFICE OF THE REGISTRAR, CO-OPERATIVE SOCIETIES, SIMLA DISTRICT OFFICE ORDER

Kasumpti, the 29th December, 1972

No. 4136.—In supersession of this office Endst. No. 2528-2531, dated 2nd March, 1969, and in exercise of the powers conferred upon me under section 79(1) of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969), I, M. S. Sharma, Registrar, Co-operative Societies, (Primary), Simla district, do hereby appoint Inspector, Co-operative and Supplies, Mashobra as liquidator of the Himachal Pradesh Pharmaceutical and Industrial Co-operative Society Ltd., Kasumpti in place of Shri Ladli Parshad, Inspector, Co-operative and Supplies who has been transferred from this District.

M. S. SHARMA,
Registrar.

OFFICE OF THE DISTRICT MAGISTRATE MANDI DISTRICT, MANDI, NOTIFICATION

Mandi, the 28th December, 1972

No. 26MD-(24)/59.—In exercise of the powers conferred upon me under section 75 of the Indian

Motor Vehicles Act, 1939 read with the Himachal Pradesh Government Memo. No. 4-9/63-Tpt., dated the 16th March, 1966, I, R. K. Anand, District Magistrate, Mandi do hereby order as under:—

"8 vehicles are allowed to be parked on the back side of the court building towards post office subject to the condition that no repair work of the vehicle will be undertaken here and no noise creating hindrance will be caused to office/courts".

This order shall come into force with immediate effect.

R. K. ANAND,
Magistrate.

OFFICE OF THE DISTRICT MAGISTRATE, UNA ORDER

Una, the 19th January, 1973

No. 1278-80/MA.—Whereas it has come to the notice of the Government that dealers of Salt are charging much higher rates of iodized salt by getting the same grinded. The Government has desired that the grinding of iodized salt be totally banned throughout the State.

Therefore, I, Swarupa Nand, District Magistrate, Una under the powers vested in me under clause 13 of the Himachal Pradesh Salt Distribution Control Order, 1971, hereby order to ban the grinding of iodized salt totally in Una district and no nominee or retailer shall sell salt at a rate higher than fixed by the undersigned from time to time under clause 6 *ibid*. Any contravention of this order by any person will be dealt with under the Law.

SWARUPA NAND,
District Magistrate, Una.

HORTICULTURE DEPARTMENT NOTIFICATION

Simla-2, the 17th January, 1973

No. 2-50/71-Udyan. II.—In exercise of the powers vested in me vide Rule 1.26 of Himachal Pradesh Financial Rules, 1971, I hereby declare the following officers, as Head of Office and Drawing and Disbursing Officer and Deputy Director, Horticulture, Himachal Pradesh, as Controlling Officer, in respect of Major Head "31—Agriculture (Horticulture) (Plan) A-6 (41) Establishment of Mobile Units for the Development of Horticulture, A-6(41) (2) Pay of Establishment:—

1. Horticultural Development Officer (Mobile Units) East Zone, with Headquarters at Nau-bahar, Simla.
2. Horticultural Development Officer, (Mobile Units) West Zone, with Headquarters at Dharamsala.

2. The above Horticultural Development Officers will be the Controlling Officer for the purpose of countersignature of T.A. bills and Medical Re-imbursement claim in respect of Class III and IV staff working under the above-mentioned schemes under them.

3. This notification will take effect from the date of issue.

HARBANS SINGH,
Director.

PUBLIC WORKS DEPARTMENT
CORRIGENDA

Solan, the 21st September, 1972

No. SE-III-G (R) 61-9/72-72-25516-19.—The Khasra No. with its area as detailed below:—

Khasra No.	Area	
	Big.	Bis
83/1	0	4
79/2	0	1
80/1	0	2
89/1	0	2
81/2	0	8
79/2	0	5
67/2	0	13
87/1	0	4

appearing in the notification under section 6 and 7 of the Act, 1894, issued vide Secretary, Public Works Department Himachal Pradesh, Simla-2 letter No. 2/34/70-PWD, dated the 7th November, 1969 may be read as under:—

Khasra No.	Area	
	Big.	Bis
81	0	3
89/1	0	6
79/1	0	19
67/2	0	16
87/1	0	1
83/1	0	4
79/2	0	1
80/1	0	2

*These three Khasra Nos. deleted now from the above Notification.

Solan, the 9th January, 1973

No. SE-III-G-115/72-1124-27.—The Khasra No. 151/1 measuring 0-4 Biswas and No. 152/1 measuring 1-0 Bigha is inserted now in the notification under section 6 and 7 issued vide this office No. SE-III-G-115/69-3469-71, dated 17-2-69.

S. P. KAPOOR,
Superintending Engineer,
3rd Circle, H.P.P.W.D., Solan.

INDUSTRIES DEPARTMENT

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT

Chamba, the 9th November, 1972

No. Ind. Loan/59-2415-2.—Whereas a notice was served on Shri Bhagat Ram s/o Shri Dum, resident of village Nela, Pargana Jassour Block, District Chamba, Himachal Pradesh on 12th October, 1968 under section 23 of the Punjab State Aid to Industries, Himachal Pradesh Amendment Act, 1964, calling upon the said Shri Bhagat Ram to pay to me the sum of Rs. 166.67 only on or before the 28th February, 1968 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 666.68 and interest thereon (up-to-date) is due from Shri Bhagat Ram and that the property described in the attached schedule is liable for satisfaction of the said debt.

SCHEDULE

All the movable & immovable property belonging to surities:

1. Shri Dum s/o Shri Bhagat resident, of village Nela,

2. Devin Singh s/o Shri Dilla, caste Brahman, Village Bhalwin, Pargana Jasawr Churach.
And all assets belonging to the loanee

V. P. SOOD,
District Industries Officer, Chamba.

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT

Solan, the 30th December, 1972

No. UM (LOAN)—Whereas a notice was served on Shri Ram Rattan Aggarwal, s/o Shri Shardha Ram, r/o Lakkar Bazar, Solan on the 29-4-71, under section 23 of the Punjab State Aid to Industries Act, 1935, as modified and applied to Himachal Pradesh calling upon the said Shri Ram Rattan to pay to me the sum of Rs. 10,000 on or before the 15-5-71, and whereas the said sum has not been paid, I hereby declared that the sum of Rs. 10,000 is due from the said Ram Rattan and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1. Smt. Radha Devi w/o Shri Ram Rattan Aggarwal, residing at Radha Bhawan, Solan.
2. Shri Shiv Datt s/o Shri Ram Nath r/o Solan, Tehsil Solan.

Sd/-

District Industries Officer, Solan.

फार्म 'ज'

अधिसूचनाएं

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा

24 के अधीन घोषणा

संख्या के 0 एल 0 यू 0 एल 0-348/79.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 27 दिसम्बर, 1971 को नोटिस दिया गया था, जिसमें उक्त गोरख राम सुनु श्री जीवू राम गांव पतली कौल, डाकखाना कुटाराई, कुल्लू को 150 रु की राशि 7-1/2 प्रतिशत वार्षिक व्याज दर सहित 31 दिसम्बर, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था, और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूँ कि 150 रु की राशि 30 जनवरी, 1967 से अन्तिम अदायगी की तिथि तक 7-1/2 प्रतिशत वार्षिक व्याज दर सहित उक्त गोरख राम से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

SCHEDULE

All the assets presented and to be herein after acquired by the mortgagor, whether the assets now or in future in his home, including books, debts, stores and stocks, the premise and machinery, existing or to be purchase with the aid to the loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल/244/81.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 7-8-71 को नोटिस दिया गया था, जिस में उक्त सरनू सपुत्र श्री सामू, गांव नाही, डाकखाना गोशनी, तहसील बंजार, जिला कुल्लू को 100 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 30 अगस्त, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था, और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूं कि 100 रु की राशि 21 नवम्बर, 1965 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त सरनू से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

RECOVERY OF SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor, whether the assets now or in future in his home, including books, debts, stores, stocks, the premises and machinery exists or to be purchased with the aid of the loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश, राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या के 0 एल 0 यू 0-एल 0/431/83.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 9 सितम्बर, 1970 को नोटिस दिया गया था, जिस में उक्त सतविंदर सिंह सपुत्र श्री रगबीर सिंह, अखाड़ा बाजार, कुल्लू को 1,000 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज सहित 17 सितम्बर, 1970 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था, और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूं कि 1000 रु की राशि 17 सितम्बर, 1970 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त सतविंदर सिंह से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor, whether the assets now or in future in his home, including books, debts, stores and stocks, the premises including existing or to be purchase with the aid to the loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल 0/301/Collector/104.—जब कि पंजाब राज्य उद्योग

सहायता अधिनियम, 1935 की धारा 23 के अधीन 27 दिसम्बर, 1971 को नोटिस दिया गया था, जिस में उक्त मछिन्दर नाथ सपुत्र श्री नानक चन्द गांव देवधार, डाकखाना पोईड, तहसील और जिला कुल्लू को 667 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 10 जनवरी, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूं कि 667 रु की राशि 23 सितम्बर, 1966 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त मछिन्दर नाथ से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

SCHEDULE OF RECOVERY

All the assets presented and to be hereinafter acquired by the Borrower whether the assets now or in future in his home, including books debts, stock and stores, the premises and machinery existing or to be purchased with the Aid of the loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल 0/268.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 27 दिसम्बर, 1972 को नोटिस दिया गया था, जिस में उक्त श्री जीतू सपुत्र श्री कहनू मोची, गांव और डाकखाना शमशी, तहसील और जिला कुल्लू को 70 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 1 अक्टूबर, 1966 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था, और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूं कि 70 रु की राशि 1 अक्टूबर, 1966 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त श्री जीतू से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

SCHEDULE OF RECOVERY

All the assets presented and to be hereinafter acquired by the mortgagor whether the assets now or in future in his home, including books, debts, stores and stocks, premises and machinery existing or to be purchased with the aid of loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973,

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल 0/86/92.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 27 अक्टूबर, 1971 को नोटिस दिया गया था, जिस में उक्त जसवंत राय

मलिक सपुत्र श्री मलिक होतू राम, अखाड़ा बजार, कुल्लू इस समय सरकारी बजार कुल्लू को 250 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 30 नवम्बर, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था, और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिए मैं घोषणा करता हूँ कि 250 रु की राशि 1 जनवरी, 1968 से अन्तिम अदायगी की तिथि तक 7-1/2 प्रतिशत वार्षिक व्याज दर सहित उक्त जमवन्त राय से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

RECOVERY SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor, whether the assets now or in future in his home, including books debts, stores and stocks, the premises and machinery exists or to be purchase with the aid to loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल0/247/Collector/88.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 7 अगस्त, 1971 को नोटिस दिया गया था, जिस में उक्त बनवारी लाल सपुत्र श्री रामजी दास, गांव पुनान खड डाकखाना चोवी, तहसील आनी, जिला कुल्लू को 334 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 30 अगस्त, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूँ कि 334 रु की राशि 26 मार्च 1969 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त बनवारी लाल से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

RECOVERY SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor, whether the assets now or in future in his home, including books debts, stores and stocks, the premises and machinery exists or to be purchased with the loan or part thereof.

2. 50 bighas and 10 biswas agricultural cultivable land entered in Khewat No. 606 and Khatauni No. 719 Jama Bandi record of Phati Manjadesh, Kothi Naraingarh offered by Shri Shukru s/o Shri Kirpa Ram Brahman, Village Kaloh, Kothi Naraingarh, P. O. Chowki as surety No. 1 amounting to Rs. 4,663.48..

3. 63 Bighas and 10 Biswas agricultural land entered in Khewat No. 783 and Khatoni No. 1146 record of Phati Manjadesh, Kothi Naraingarh amounting to Rs. 477-11 offered by Shri Moti Rani s/o Shri Gaurgan Brahman, Village Bakhan P. O. Chowki, Kothi Naraingarh as Surety No. 2.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल0/214/95.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 7 अगस्त, 1971 को नोटिस दिया गया था, जिस में उक्त चीथू राम सपुत्र श्री तुलसी राम, गांव बगनाल, डाकखाना रायसन, कुल्लू को 334 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 31 अगस्त, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिये कहा गया था और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूँ कि 334 रु की राशि 1 अगस्त, 1965, से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त चीथू राम से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

RECOVERY SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor, whether the assets now or in future in his home, including books debts, stores and stocks, the premises and machinery exists or to be purchased with the aid of loan or part thereof.

Sd/-

District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा 24 के अधीन घोषणा

संख्या एल0/299.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 27 दिसम्बर, 1971 को नोटिस दिया गया था, जिस में उक्त अमरजीत सपुत्र पुरन जीत, गांव और डाकखाना जरी, तहसील और जिला कुल्लू को 200 रु की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित 20 जनवरी, 1972 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था, और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूँ कि 200 रु की राशि 15 सितम्बर, 1971 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त अमरजीत से देय है और संलग्न अनुसूचि में निर्दिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

RECOVERY SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor whether the assets now or in future in his home, including book debts, stores, stocks, premises and machinery existing or to be purchased with the aid of loan or part thereof.

2. 25 Bighas land and orchard and House at Village and P. O. Jari, worth Rs. 16,000 offered by Shri Jindu Ram s/o Shri Hirdu, Village and P. O. Jari, Tehsil and District Kulu, (Surety).

3. 20 Bighas of land and orchard at Village Nagothi P. O. Jari, worth Rs. 9,000 and one residential house worth Rs. 3,000 at Village Nagothi, offered

by Shri Hukam Ram s/o Shri Rohlu Ram, Village Nagodhi P. O. Jari, Tehsil and District Kulu (Surety).

Sd/-
District Industries Officer, Kulu.

फार्म 'ज'

कुल्लू, 5 जनवरी, 1973

हिमाचल प्रदेश राज्य उद्योग सहायता अधिनियम, 1935 की धारा

24 के अधीन घोषणा

संख्या एल0/192/154.—जब कि पंजाब राज्य उद्योग सहायता अधिनियम, 1935 की धारा 23 के अधीन 7 अगस्त, 1971 को नोटिस दिया गया था, जिस में उक्त मोती राम सपुत्र श्री जलसी राम, गांव पानगन, डाकखाना रसन, तहसील और जिला कुल्लू को 334 रु0 की राशि 3 प्रतिशत और 7½ प्रतिशत वार्षिक व्याज दर सहित

30 अगस्त, 1971 से अन्तिम अदायगी की तिथि तक मुझे अदा करने के लिए कहा गया था और चूंकि समस्त उक्त राशि अदा नहीं की गई है, इस लिये मैं घोषणा करता हूं कि 334 रु0 की राशि 1 अगस्त, 1962 से अन्तिम अदायगी की तिथि तक 7½ प्रतिशत वार्षिक व्याज दर सहित उक्त मोती राम से देय है और संलग्न अनुमति में निदिष्ट सम्पत्ति से उक्त कर्ज की पूर्ति की जा सकती है।

RECOVERY SCHEDULE

All the assets presented and to be hereinafter acquired by the mortgagor, whether the assets now or in future in his home, including books debts, stores and stocks, the premises and machinery exists or to be purchased with the aid of loan or part thereof.

Sd/-
District Industries Officer, Kulu.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ

इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

FOREST DEPARTMENT NOTIFICATION

Simla-2, the 9th November, 1972

No. 3-191/69-SF.—In exercise of the powers vested in him under section 75 of Himachal Pradesh Private Forest Act, 1954(6 of 1954), the Governor, Himachal Pradesh is used to make the following amendments to the H. machal Pradesh Private Forest Rules, 1969, issued vide H. machal Pradesh Government notification No. Ft. 12-114/58 (M), dated the 28th October, 1969, the same having been previously published under sub-section (3) of section 75 of the said Act, vide this Government notification of even number, dated the 15th June, 1972.

AMENDMENTS

- (i) In rule 11(1) for coma occurring after the word 'Law' shall be substituted with word 'or';

- (ii) In rule 12 for the words "Provincial Government" the words "State Government" shall be substituted;
(iii) In rule 25(3) for the words "under rules approved by the territorial Conservator of Forest" the words "under executive directions issued by the territorial Conservators of Forest from time to time" shall be substituted;
(iv) In rule 27 (1) the words "Any instructions issued in this behalf by the Forest Officer shall be deemed to be the rules issues by the State Government under this clause, shall be deleted."
(v) In rule 29(4) (ii) for the full stop occurring at the end, the following words and full stop shall be substituted, namely:—
"or if an appeal has been preferred after it has been finally decided".

By order,
P. K. MATTOO,
Secretary

भाग 4—स्थानीय स्वायत्त शासन: म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

PANCHAYATS DEPARTMENT NOTIFICATIONS

Kangra, the 3rd October, 1972

No. 2525.—In exercise of the powers conferred under section 102(1)(XXVI) of the Himachal Pradesh Panchayat Raj Act, 1968 (19 of 1970) the Panchayat Samiti, Indora, District Kangra with the previous approval of the Government makes the following bye-laws regarding, the maintenance, destruction and licensing of dogs.

1. *Short title and commencement.*—These bye-laws may be called the Panchayat Samiti Indora, Dog Maintenance, Destruction and Licensing By-laws. These shall come into force from the date of publication in the official Gazette.

2. *Registration of dogs.*—(i) No person shall keep a dog more than two months of age within the Panchayat Samiti area for more than one month unless it is registered at the Samiti Office.

(ii) Any person who wishes to register a dog shall apply for such registration on the prescribed form of application, which may be obtained free of charge at the office of the Panchayat Samiti.

(iii) Every application for registration shall be accompanied by a fee of Rs. 2 per dog (Rs. two).

(iv) A registration shall (remain in force for one year (ending 31st March in every case) and any person who wishes to renew any registration for a further period of one year or fraction thereof shall apply for registration in the same manner as if the registration is being done for the first time. The fee of Rs. 2 shall be payable for such registration.

(v) The Executive Officer of the Panchayat Samiti or any other officer authorised by it (Panchayat Samiti) shall register or cause to be registered every dog in respect of which an application for registration is received together with the prescribed fee and shall issue to the applicant a

badge in token of the dog having been registered.

(vi) If any badge issued under (v) above is lost the owner or keeper of the dog in respect of which the badge was issued may apply for another badge to the Executive Officer of Panchayat Samiti and a new badge shall be issued on receipt of Re. 1.

3. *Destruction of stray dogs.*—(i) Any dog found in public place, shall unless registered, and wearing such badge shall be liable to be destroyed, as a stray dog, as a antirabic measure and as a necessary step to check the nuisance of such stray dogs. Action to destroy such dogs, shall be taken under the orders of the Sanitary Inspector of the area or any other officer authorised by the Panchayat Samiti

(ii) It shall be the duty of the person destroying dogs to make out a list and submit the same to the Executive Officer of the Panchayat Samiti.

4. *Removal and burial of killed dogs.*—It shall be the duty of the Gram Panchayat of the village where a dog is destroyed to arrange for its removal and burial. The cost incurred shall be payable out of the Panchayat Samiti fund on receipt of bill (s).

5. *Vaccination of dogs.*—It shall be the duty of the owner or keeper of the registered dog to get it protected by injection or otherwise, against rabies or so at the Vety. Hospital within the area of the Panchayat Samiti.

6. *Prosecution.*—Prosecution for any breach of these bye-laws may be instituted by the Executive Officer of the Panchayat Samiti or any person authorised by the Samiti in this behalf.

7. *Penalty for the breach of bye-laws.*—Any person who commits a breach of these bye-laws, shall be punishable on conviction, with a fine which may extend to Rs. 50 and in case of a continuing breach with a further fine which may extend to Rupees 5 for every day during which the breach is continued after conviction for the first such breach so, however that it does not exceed the aggregate Rs. 250.

Sd/-

Executive Officer,
Panchayat Samiti, Indora (Kangra).

Simla-4, the 24th November, 1972

No. 23-56/68-Panch.—Whereas it appears to the Governor of Himachal Pradesh that land is likely to be required to be taken by Government at the public expense for a public purpose, namely, for construction of Baloni Changar road in Tappa Dhaned, Gram Panchayat Dhaned, Tehsil Hamirpur, District Hamirpur, it is hereby notified that land in the locality described below is likely to be required for the above purpose.

This notification is made, under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Himachal Pradesh is pleased to authorise the officers for the time being engaged in undertaking with their servants and workmen to enter upon and survey any land in the locality and do all acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Hamirpur District, Hamirpur.

SPECIFICATION

District: HAMIRPUR Tehsil: HAMIRPUR

TIKKA	Khasra No.	Area	
		K.	M.
1	2	3	4
BALONI	139/1	}	8
TAPPA	171/1		
DHANED,	172/1		
GRAM	173/1		
PANCHAYAT	480/1		
DHANED,	822/1		
TEHSIL HAMIRPUR.	828/1		
	2024/959/1		
	2025/959/1		
	961/1		
	962/1		
	966/1		
	967/1		

(50 Acres)

S. M. KANWAR,
Joint Secretary.

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

In the Court of Shri Surender Praksah, M.A. LL.B.,
Senior Sub-judge Solan

(Empowered under Indian Succession Act)

PROCLAMATION UNDER ORDER 5, RULE, 20, C.P.C.

Petition No. 3.

Smt. Pari widow of Shri Ratti Rams/o Devi Ram,
r/o village Lakhni, Pargana Jhajhti, Tehsil and District Solan

Versus

Shri Gita Ram s/o late Shri Rati Ram, r/o of village Lakhni, Pargana Jhajhti, District Solan (Respondent).

In the matter of the Grant of Succession Certificate in respect of the debts of Shri Rati Ram deceased under section 372 of the Indian Succession Act.

To

The General Public.

Whereas in the above mentioned application Smt. Pari has filed an application for the grant of the Succession Certificate, for the property left behind by Shri Ratti Ram deceased. Notice is hereby issued for the information of the General Public, who is required to appear in this court on 21-2-1973 at 10-00 A.M. in person or through pleader and to file objection if any with regards to the grant of Succession Certificate to Smt. Pari, the above applicant.

In default of appearance of any one on the date fixed, the certificate will be granted *ex-parte* in favour of Smt. Pari, the applicant.

Given under my hand and the seal of the court this 18th day of January, 1973.

SURENDRA PRAKASH,
Senior Sub-judge, Solan.

Seal.

IN THE COURT OF THE SUB-JUDGE 1ST CLASS

NALAGARH

PROCLAMATION UNDER ORDER 5, RULE 20, C.P.C.

CIVIL SUIT NO. 41/1 OF 1971

Bhagat Ram son of Khazana Mall, resident of Nalagarh. Plaintiff

Versus

Kedar Nath son of Dwarka Dass Defendant.

SUIT FOR RECOVERY OF Rs.7883.25

To

Shri Kedar Nath son of Dawarka Dass Brahman, r/o Banor Ram Singh, Post Office Kalka, Tehsil Kandaghat, District Solan.

In the above noted case it has been proved to my satisfaction that the above noted defendant Shri Kedar Nath cannot be served in the normal course of service.

Hence this proclamation is hereby issued and above named defendant is directed to appear in this Court on 31st day of March, 1973 at 10 A.M. personally or through pleader or authorised agent. Failing which *ex-parte* proceeding will be taken against the defendant.

Given under my hand and the seal of the Court this 30th day of December, 1972.

Seal.

Sd/-

Sub-Judge 1st Class, Nalagarh.

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन.

GENERAL ADMINISTRATION DEPARTMENT

C-SECTION

NOTIFICATION

Simla-2, the 8th December, 1972

No. 11-3/72-GA-C.—The Order No. 28/1/72-FP, dated the 28th August, 1972, No. 28/1/72-FP, dated the 14th September, 1972 and No. 28/1/72-FP, dated nil September, 1972, issued by the Government of India, Ministry of Information and Broadcasting, New Delhi and published in the Gazette of India, Extraordinary, part, II, section 3, sub-section (ii) are hereby republished in the Himachal Pradesh Government Rajpatra for the information of the general public.

N. C. KAUSHAL,
Under Secretary.

GOVERNMENT OF INDIA

MINISTRY OF INFORMATION AND BROADCASTING

ORDER

New Delhi-1, the 28th August, 1972

S.O. In pursuance of the directions issued under the provision of each of the enactments specified in the first schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. 8-0-3792, dated the 2nd December, 1966, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the schedule annexed hereto in all their language versions to be of the description specified against each in column 6 of the said Schedule:

[File No. 28/1/72-FP]

SCHEDULE

Sl. No.	Title of the Film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a Scientific film of a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1.	A new Beginning	301 M	Films Division Government of India 24, Peddar Road, Bombay-26.	Film Division Bombay.	Documentary Film
2.	Symphony of progress	323M	-do-	-do-	Film intended for educational purpose.
3.	Indian news review No. 1243.	192.63	-do-	-do-	Film dealing with news and current events.
4.	Interview with Prime Minister.	293.50M	-do-	-do-	-do-
5.	I. N. R. No.1244	301.14 M	-do-	-do-	-do-

New Delhi-1, the 14th September, 1972

S. O.—In pursuance of the directions issued under the provision of each of the enactments specified in the first schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792, dated the 2nd December, 1963, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the schedule annexed hereto in all its/their languages versions to be of the description specified against it/each in columns of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Length 35mm	Name of the Applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5	6
1.	I.R.N. No. 1245 (Northern Edition)	290.46 Metres	Films Division India 24-Peddar Road, Bombay-26	Government of	Film dealing with news and current events. (For release in Northern States viz. Haryana, J and K, Madhya Pradesh, Punjab, Rajasthan, U.P., Andaman and Nikobar Islands Dadra and Nagar, Heveli Administration Delhi Administration Himachal and Pondicherry.

[F. No. 28/1/72-FP App. 1707]

J. P. GOYAL,

Under Secretary to the Government of India.

सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली-1, सितम्बर, 1972

संख्या एस० ओ० भारत सरकार के सूचना और प्रसारण मंत्रालय के आदेश संख्या एस० ओ० 3792, तारीख 2 सितम्बर, 1966 की प्रथम अनुसूचि में निर्धारित प्रत्येक अधिनियम मतों के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड बम्बई की सिफारिशों पर विचार करने के बाद एतद् द्वारा इसके साथ लगी अनुसूचि के कालम 2 में दी गई फिल्म को उसके सभी भारतीय भाषाओं के रूपान्तरों सहित, जिसका विवरण उसके सामने उक्त सूची के कालम 6 में दिया हुआ स्वीकृति करती है।

अनुसूची

क्रम संख्या	फिल्म का नाम	फिल्म की लम्बाई 35 मि० मी०	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक सम्बन्धी फिल्म या शिक्षा सम्बन्धी फिल्म समाजिक और सामयिक घटनाओं की फिल्म है या डाकुमेंट्री फिल्म है।
1	2	3	4	5	6
	जो धन गया सो गया	152, 40 मीटर	मेसर्स इमेरज इंडिया बम्बई	प्राइवेट लिमिटेड,	शिक्षा सम्बन्धी फिल्म हिन्दी तथा उत्तर भारतीय भाषाओं में रिलीज के लिये।

[फाईल संख्या 28/4/72 एफ० पी० परिशिष्ट. 1709]

ज० पी० गोयल,

वरवर सचिव, भारत सरकार।

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

ELECTION DEPARTMENT NOTIFICATION

Simla-4, the 29th September, 1972

No. 5-19/67-Elec.—Consequent upon his attaining

the age of superannuation, the retirement of Shri Krishna Nand, Tehsildar (Elections), is hereby ordered with effect from the after noon of 15th October, 1972.

L. TOCHHAWNG,
Chief Electoral Officer,
Himachal Pradesh.

अनुपूरक

शून्य

PART I

PERSONNEL (A) DEPARTMENT NOTIFICATION

Simla-2, the 22nd December, 1972

No. 8-77/71-DP-Apptt.—In exercise of the powers conferred by sub-paragraph (10) of paragraph 18 of the Himachal Pradesh (Courts) Order, 1948, the Governor, Himachal Pradesh in consultation with the Himachal Pradesh High Court, is pleased to appoint Shri G. S. Chauhan, General Assistant to Deputy Commissioner, Kinnaur, to be the Subordinate Judge, with immediate effect and further directs that—

- (a) under paragraph 21 of the said Order, the pecuniary jurisdiction of the said officer to be exercised in original civil suits shall extend upto Rs. 2,000 (Rupees two thousand only); and
- (b) under paragraph 22 of the said Order, the local limits of the jurisdiction of the said officer shall be the whole of Kinnaur district.

A. K. GOSWAMI,
Joint Secretary.

FOREST DEPARTMENT NOTIFICATIONS

Simla-2, the 28th October, 1972

No. 7-1/72-SF.—Whereas the Governor of Himachal Pradesh is satisfied after enquiry that the regulations, restrictions, prohibitions hereinafter contained are necessary for the purpose of giving effect to the provisions of the Punjab Land Preservation Act, 1900, the Governor of Himachal Pradesh in exercise of the powers conferred by section 4 of the said Act is hereby pleased to prohibit the following acts for a period of 20 years with effect from the date of publication of this notification in the official Gazette, in the areas specified in the Schedule below; forming parts of the village in Dehra Tehsil of Kangra District specified in the Schedule annexed to the Himachal Pradesh Government notification of even number, dated the 23rd October, 1972.

1. The clearing or breaking up or cultivating of malkiat land not ordinarily under cultivation prior to the publication of the Himachal Pradesh Government notification of even number, dated the 23rd October, 1972 provided that the breaking up of land or cultivation may be permitted by the Divisional Forest Officer, Una Forest Division.

2. The quarrying of stone or the burning of lime at places where such stone or lime has not ordinarily been

so quarried or burnt prior to the publication of the said notification except with the permission of the Collector of Kangra district who will consult with the Divisional Forest Officer, Una Forest Division before according such permission.

3. The cutting of trees or timber or the collection or removal or subjection to any manufacturing process of any forest produce other than grass, flower, fruit and honey save for bonafide domestic or agricultural purposes provided that the owner of the land may sell trees or timber after first obtaining the permission to do so from the Divisional Forest Officer, Una Forest Division, such permit will prescribe such conditions for the sale as may from time to time appear necessary in the interest of forest conservancy.

4. The setting on fire of trees, timber or forest produce.

5. the admission, herding, pasturing or retention of sheep, goats and camels provided that in case where sickness necessitates the keeping of goats for milk, the Divisional Forest Officer, Una Forest Division may issue permit at his discretion for retention of a limited number of stakfed goats to be specified for a specified period.

District: KANGRA

Tehsil: DEHRA

Village	Khssra No.	Area in Acres
	H. B. No. 53	
DHALIARA	719 to 724, 213, 214 min, 3502/917, 1027, 1409, 1411, 1428, 1443, 1517, 3554/1630, 3555/1630, 1636, 1637, 1643, 1730 to 1741, 1757 to 1759, 2349/1771, 2350/1771, 1772, 1773, 2253/1774 to 2257/1774, 1775 to 1780, 1800, 1801, 2261/1802, 3310/2262 to 3313/2262, 1803 to 1805, 1830, 1933 to 1935, 1937, 2003, 2008, 2008/1, 3355/2013 and 3356/2013.	210

Simla-2, the 26th October, 1972

No. 7-1/72-SF.—In exercise of the powers conferred by section 30 and 32 of the Indian Forest Act, 1927, which has been applied to the land specified in the schedule appended to the Himachal Pradesh Government notification of even number, dated the 25th October, 1972, and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to direct that the following rules shall apply to the said land:—

RULES

1. No person shall cut, fell or lop any trees for any purpose whatsoever or remove any forest produce, provided that subject to rule below 3, the owners may fell and remove trees, timber and other forests produce for their own domestic and agricultural purposes, in accordance with their recorded rights.
2. Subject to the approval of the Divisional Forest Officer, Una Forest Division, the owners may sell trees, provided that the trees have first been marked by the Divisional Forest Officer.
3. No living trees standing within 30 feet of the bank of any stream or torrent bed shall be felled for any purpose whatsoever.
4. No person shall herd, pasture, graze or retain sheep, goats camels or other cattle on the land specified in the schedule annexed to Himachal Pradesh Government notification of even number, dated 25th October, 1972.
5. No person shall clear or break up land for cultivation or other purposes, provided that if in the opinion of the Divisional Forest Officer, Una Forest Division, the land is sufficiently protected from damage by flood and erosion, the owners may cultivate that land to the extent permitted by him.
6. No person shall cut or remove grass, provided that the owners may cut grass for their own use or allow its sale with the approval of and within the period allotted by the Divisional Forest Officer, Una Forest Division on the condition that grass is cut above ground with *drati* only (date to be fixed to allow scattering of ripe grass seed).
7. No person shall set fire to grass, trees or timber, or kindle a fire the land without taking reasonable precautions to prevent its spreading.
8. The quarrying of stone or the burning of lime at places where such stones or lime has not ordinarily been so quarried or burnt prior to the publication of the Himachal Pradesh Government notification of even number, dated the 25th October, 1972 shall be prohibited except with the permission of the Collector of the Kangra district who will consult the Divisional Forest Officer, Una Forest Division, before according such permission.
9. Income from compensation of offences against these rules under section 68 of the Indian Forest Act, 1927 shall be credited to Government, provided that Government may subject to appropriation made by law allow grant-in-aid to the owners to the extent of income derived from compounding of offences under these rules.
10. The owners shall appoint a rakha or rakhas, whose duty will be to enforce provisions of these rules. The appointment and dismissal of rakhas will be subject to the approval of the Divisional Forest Officer, Una Forest Division.

By order,
P. K. MATTOO,
Secretary.

PUBLIC WORKS (A)

NOTIFICATIONS

Simla-2, the 18th January, 1973

No. 1-115/72-PW.—The Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to promote Shri J. S. Roodkee, Assistant Engineer, Himachal Pradesh Public Works Department, to the post of Executive Engineer, Himachal Pradesh Public Works Department in the scale of Rs. 800-50-1300/50-1600, from the date of taking over the charge of the post, purely on *ad hoc* basis till 31st March, 1973 or till the post is filled in on the regular basis whichever is earlier.

2. The *ad hoc* appointment will not confer on him any right of seniority in the grade of Executive Engineer.

3. The posting orders of Shri Roodkee on his promotion to the post of Executive Engineer, have separately been issued.

Simla-2, the 18th January, 1973

No. 1-115/72-PW.—The Governor, Himachal Pradesh is pleased to place the services of Shri I. C. Goel, Executive Engineer, Simla Division No. 11, Simla at the disposal of the Himachal Pradesh Housing Board, on deputation (foreign service) for appointment to the post of Executive Engineer with immediate effect.

2. Necessary orders with regard to his deputation terms, and conditions on foreign service to the above Board will be issued separately in due course of time.

3. The orders with regard to placing the services of Shri S. K. Aggarwal, Executive Engineer, Kulu Division No. 1 at the disposal of Himachal Pradesh Housing Board issued vide this Government notification No. 1-116/72-PW., dated the 22nd December, 1972 are hereby cancelled.

Simla-2, the 19th January, 1973

No. 1-50/69-PWD.—The Governor, Himachal Pradesh is pleased to promote the following Sectional Officers (Mechanical) to the post of Assistant Engineers (Mechanical, Himachal Pradesh Public Works Department in the scale of Rs. 400-30-700/40-1100 from the date of taking over the charge of the posts, purely on *ad hoc* basis, for a period of three months or till the posts are filled in on regular basis whichever is earlier:—

1. Shri A. R. Kishore.
2. Shri Amar Singh.
3. Shri Charanjit Singh.

2. The concurrence of the Himachal Pradesh Public Service Commission has been obtained vide their letter No. 2-49/71-PSC-Part, dated the 19th January, 1973.

3. The *ad hoc* appointments will not confer on them any right of seniority in the grade of Assistant Engineer (Mechanical).

4. The posting orders of the above officers on their promotion as Assistant Engineer (Mechanical) have separately been issued.

H. S. DUBEY,
Secretary.

PART VI

LAW DEPARTMENT

NOTIFICATION

Simla-4, the 11th October, 1960

No. 1-7/60-LR.—The following Acts recently passed by the Parliament of India and published in the Gazette of India Extraordinary Part II, Section I, dated 22nd September, 1960 respectively are hereby republished in the Himachal Pradesh Administration Rajpatra for the information of general public.

The Tripura Land Revenue and Land Reforms Act, 1960 (No. 43 of 1960).

G. M. LAUL,
Under Secretary (Judicial).

Received Assent on 21-9-1960.

THE TRIPURA LAND REVENUE AND LAND REFORMS ACT, 1960

(ACT No. 43 of 1960)

AN
ACT

to consolidate and amend the law relating to land revenue in the Union territory of Tripura and to provide for the acquisition of estates and for certain other measure of land reform.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

PART I

CHAPTER I.—PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the Tripura Land Revenue and Land Reforms Act, 1960.

(2) It extends to the whole of the Union territory of Tripura.

(3) It shall come into force on such date as the Administrator may, by notification in the Official Gazette, appoint; and different dates may be appointed for different areas and for different provisions of this Act.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Administrator” means the Administrator of the Union territory of Tripura;

(b) “agriculture” includes horticulture, the raising of annual or periodical crops or garden produce, dairy farming, poultry farming, stock breeding, grazing and pisciculture;

(c) “basic holding” means land used for agricultural purposes which is equal to two standard acres in area;

(d) “Collector” means the Collector of the district and includes any officer appointed by the Administrator to exercise and perform all or any of the powers and functions of a collector under this Act;

(e) “commencement of this Act”, in relation to provision, means the date specified in respect of that provision in a notification under subsection (3) of section 1;

(f) “competent authority”, in relation to any provision, means any officer appointed by the Administrator to be the competent authority for the purpose of that provision;

(g) “family” except in Chapter XIII means, in relation to a person, the wife or husband of such person, his children, grandchildren, parents and brothers, and in the case of a Joint Hindu family, any member of such family;

(h) “family holding” means land used for agricultural purposes which is equal to 6.4 standard acres in area;

(i) “Government” means the Central Government;

(j) “holding” means a parcel of land separately assessed to land revenue;

(k) “improvement” in relation to any land, means any work which materially adds to the value of the land and which is suitable to the land and consistent with the character thereof and includes—

(i) the construction of tanks, wells, water channel and other works for the storage, supply and distribution of water for agricultural purposes or for the use of man and cattle employed in agriculture;

(ii) the construction of works for the drainage of land or for the protection of land from floods or from erosion or from other damage by water;

(iii) the preparation of land for irrigation;

(iv) the conversion of one-crop into two-crop land;

(v) the reclaiming, clearing, enclosing, levelling or terracing of land used for agricultural purposes;

(vi) the erection on land or in the immediate vicinity thereof otherwise than on the village site, of a building or house for the occupation of the under-raiyat, his family and servants or of a cattle shed, a store-house or other construction for agricultural purposes or of any building required for the convenient or profitable use or occupation of the land; and

(vii) the renewal or reconstruction of any of the foregoing works or such alterations therein or additions thereto as are not of the nature of ordinary repairs;

(l) “minor” means a person who is deemed not to have attained majority under the Indian Majority Act, 1875 (9 of 1875);

(m) “Official Gazette” means the Tripura Gazette;

(n) “pay”, “payable” and “payment”, used with reference to rent, include “deliver”, “deliverable” and “delivery”;

(o) “person under disability” means—

(i) a widow;

(ii) a minor;

(iii) a woman who is unmarried or who, if married is divorced or judicially separated from her husband or whose husband is a person falling under item (iv) or (v);

(iv) a member of the Armed Forces of the Union;

(v) a person incapable of cultivating land by reason of some physical or mental disability;

(p) “personal cultivation”, with its grammatical variations and cognate expressions, means cultivation by a person on his own account—

(i) by his own labour, or

(ii) by the labour of any member of his family, or

(iii) by servants or by hired labour on wages, payable in cash or in kind but not as a share of produce, under his personal supervision or the personal supervision of any member of his family;

Explanation I—Land shall not be deemed to be cultivated under the personal supervision of a person or a member of his family unless such person or member resides in the village in which the land is situated or in a nearby village situated within a distance to be prescribed during the major part of the agricultural season;

Explanation II—In the case of a person under disability, supervision by a paid employee on behalf

- of such person shall be deemed to be personal supervision;
- (q) "prescribed" means prescribed by rules made under this Act;
- (r) "public purpose" includes a purpose connected with allotment of land to cultivators, under-riyats ejected as a result of resumption, land-less agricultural workers or co-operative farming societies;
- (s) "riyat" means a person who owns land for purposes of agriculture paying land revenue to the Government and includes the successors-in-interest of such person;
- (t) "rent" means whatever is lawfully payable, in money or in kind, or partly in money and partly in kind, whether as a fixed quantity of produce or as a share of the produce, on account of the use or occupation of land or on account of any right in land but shall not include land revenue;
- (u) "standard acre" means one acre of 'lunga' or 'nal', or three acres of 'tilla' land;
- (v) "under-riyat" means a person who cultivates or holds the land of a riyat under an agreement, express or implied, on condition of paying therefor rent in cash or in kind or delivering a share of the produce and includes a person who cultivates or holds land of a riyat under the system generally known as 'bhag', 'adhi' or 'barga';
- (w) "village" means any tract of land which, before the commencement of this Act, was recognised as or was declared to be a village under any law for the time being in force or which may after such commencement be recognised as a village at any settlement or which the Administrator may, by notification in the Official Gazette, declare to be a village;
- (x) "year" means the agricultural year commencing on such date as the Administrator may, in the case of any specified area, by notification in the Official Gazette, appoint.

PART II

CHAPTER II.—REVENUE DIVISIONS, REVENUE OFFICERS AND THEIR APPOINTMENT

3. *Power to create, alter or abolish districts, sub-divisions, etc.*—(1) The Administrator may, with the previous concurrence of the Government, by notification in the Official Gazette, divide the Union territory of Tripura into one or more districts, and may similarly divide any district into sub-divisions, circles and tehsils, and may alter the limits, of or abolish, any district, sub-division, circle or tehsil.

(2) The districts, sub-divisions, circles and tehsils existing at the commencement of this Act shall continue respectively to be the districts, sub-divisions, circles and tehsils under this Act unless otherwise provided under sub-section (1).

4. *Appointment of revenue officers.*—The Government or such officer as may be authorised by the Government in this behalf may appoint the following classes of revenue officers, namely:—

- (a) Collector,
- (b) director of settlement and land records,
- (c) sub-divisional officers,
- (d) survey and settlement officers,
- (e) assistant survey and settlement officers,
- (f) circle officers,
- (g) revenue inspectors,
- (h) tehsildars,

(i) village accountants and such other village officers and servants as may be specified by rules made under this Act.

5. *Collector and certain other revenue officers.*—(1) Each district shall be placed under the charge of a Collector who shall be in charge of the revenue administration of the district and exercise the powers and discharge the duties of the Collector under this Act or any other law for the time being in force and shall exercise so far as is consistent therewith such other powers of superintendence and control within the district and over the officers subordinate to him as may from time to time be prescribed.

(2) Each sub-division shall be placed under the charge of a sub-divisional officer.

(3) Each circle or tehsil shall be placed under the charge of a circle officer or a tehsildar, as the case may be.

(4) The duties and powers of the sub-divisional officers, the circle officers and other revenue officers shall be such as may be imposed or conferred on them by or under this Act or any other law in force for the time being or any general or special order of the Administrator published in the Official Gazette.

6. *Settlement officers.*—The officers specified in items (b), (d) and (e) of section shall have powers to take cognizance of all matters connected with the survey of land and the settlement of the revenue-rates and the preparation and maintenance of land records and other registers and shall exercise all such powers and perform all such duties as may be prescribed by or under this Act or by any general or special order of the Administrator published in the Official Gazette.

7. *Subordination of revenue officers.*—All revenue officers shall be subordinate to the Administrator and all revenue officers in the district or a sub-division shall be subordinate to, the Collector or the sub-divisional officer, as the case may be.

8. *Combination of officers.*—It shall be lawful for the Administrator to appoint one and the same person to any two or more of the offices provided for in this Chapter, to make any appointment by virtue of office and also to confer on any officer of the Government all or any of the powers and duties of any of the revenue officers including the Collector.

9. *Notification of appointments.*—All appointments made under, this Chapter except appointments of revenue inspectors, tehsildars and village accountants and other village officers and servants shall be notified in the Official Gazette.

10. *Seals.*—The Administrator shall, from time to time by notification in the Official Gazette, specify the revenue officers who shall use a seal and also the size and description of the seal which each such officer shall use.

CHAPTER III.—LAND AND LAND REVENUE

11. *Title of Government to lands, etc.*—(1) All lands, public roads, lanes and paths and bridges, ditches, dikes and fences on or besides the same, the beds of rivers, streams, nallas, lakes and tanks, and all canals and water courses, and all standing and flowing water, and all rights in or over the same or appertaining thereto, which are not the property of any person, are and are hereby declared to be the property of the Government.

(2) Unless it is otherwise expressly provided in the

terms of a grant made by the Government, the right to mines, quarries, minerals and mineral products including mineral oil, natural gas and petroleum shall vest in the Government, and it shall have all the powers necessary for the proper enjoyment of such rights.

(3) Where any property or any right in or over any property is claimed by or on behalf of the Government, or by any person as against the Government and the claim is disputed, such dispute shall be decided by the Collector whose order shall, subject to the provisions of this Act, be final.

(4) Any person aggrieved by an order made under sub-section (3) or in appeal or revision therefrom may institute a civil suit to contest the order within a period of six months from the date of such order and the decision of the civil court shall be binding on the parties.

12. Right to trees, forests, etc.—(1) The right to all trees, jungles or other natural products growing on land set apart for forest reserves and to all trees, brush wood jungle or other natural product, wherever growing, except in so far as the same may be the property of any person, vests in the product shall be preserved or disposed of in such manner as may be prescribed, keeping in view the interests of the people in the area with regard to the user of the natural products.

(2) All road side trees which have been planted and reared by or under the orders or at the expense of the Government and all trees which have been planted and reared at the expense of local authorities by the side of any road belonging to the Government vest in the Government.

13. Assignment of land for special purposes.—Subject to rules made in this behalf under this Act, the Collector may set apart land belonging to the Government for pasturage for the village cattle, for forest reserves or for any other purpose.

14. Allotment of land.—(1) The Collector may allot land belonging to the Government for agricultural purposes or for construction of dwelling houses, in accordance with such rules as may be in this behalf under this Act; and such rules may provide for allotment of land to persons evicted under section 15.

(2) The Administrator shall have power—

- (a) to allot any such land for the purpose of an industry or for any purpose of public utility on such conditions as may be prescribed, or
- (b) to entrust the management of any such land or any rights therein to the gram panchayat of the village established under any law for the time being in force.

15. Unauthorised occupation of land.—(1) Any person who occupies or continues to occupy any land belonging to Government without lawful authority shall be regarded as a trespasser and may be summarily evicted therefrom by the competent authority and any building or other construction erected or anything deposited on such land, if not removed within such reasonable time as such authority may from time to time fix for the purpose, shall be liable to be forfeited to the Government and to be disposed of in such manner as the competent authority may direct:

Provided that the competent authority may, in lieu of ordering the forfeiture of any such building or other construction, order the demolition of the whole or any part thereof.

(2) Such trespasser shall also be liable by way of penalty to pay a sum which may extend to six times the annual assessment on such land as may be specified by the com-

petent authority and such sum shall be recoverable in the same manner as an arrear of land revenue.

(3) Upon payment of the penalty referred to in sub-section (2), the trespasser shall have the right of tending gathering and removing any ungathered crops.

16. Liability of land revenue.—(1) All lands, to whatever purpose applied, are liable to payment of land revenue to the Government.

(2) The Administrator may exempt any land from the liability to such payment by means of a special grant or contract or in accordance with any law for the time being in force or the rules made under this Act.

17. Alluvial lands.—All alluvial lands, newly formed islands, or abandoned river beds, which vest under any law for the time being in force in any holder of land shall be subject in respect of liability to land revenue to the same privileges, conditions and restrictions as are applicable to the original holding by virtue of which such lands, islands or river beds vest in the said lands, holder, but not revenue shall be liable in respect of any such lands, islands or river beds unless the area of the same exceeds one acre.

18. Land revenue in case of diluvion.—Every holder of land paying land revenue in respect thereof shall be entitled, subject to such rules as may be made in this behalf, to a decrease of assessment if any portion thereof, not being less than one acre in extent, is lost by diluvion.

19. Assessment of land revenue.—(1) The assessment of land revenue on any shall be made, or shall be deemed to have been made, with respect to the use of the land—

- (a) for purposes of agriculture;
- (b) for industrial or commercial purposes;
- (c) as sites for dwelling houses;
- (d) for any other purpose.

(2) Where land assessed for use for any one purpose is diverted to any other purpose, the land revenue payable upon such land shall, notwithstanding that the term for which the assessment may have been fixed has not expired, be liable to be altered and assessed at a different rate in accordance with the rules made under this Act.

20. Division of land.—(1) If any person holding land for any purpose except wishes to divert such land or any part thereof to any other purpose except agriculture, he shall apply for permission to the competent authority who may, subject to the provisions of this section and to the rules made under this Act, refuse permission or grant it on such conditions as it may think fit.

(2) Permission to divert may be refused by the competent authority only on the ground that the diversion is likely to cause a public nuisance or that it is not in the interest of the general public or that the holder is unable or unwilling to comply with the conditions that may be imposed under sub-section (3).

(3) Conditions may be imposed on diversion for the following objects and no others, namely, in order to secure the public health, safety and convenience, and in the case of land which is to be used as building sites, in order to secure in addition that the dimension, arrangement and accessibility of the sites are adequate for the health and convenience of occupiers or are suitable to the locality.

(4) If any land has been diverted without permission by the holder or by any other person with or without the consent of the holder, the competent authority, on receiving information thereof, may impose on the person responsible for the diversion a penalty not exceeding one hundred rupees, and may proceed in accordance with the provisions of sub-section (1) as if an application for

permission to divert has been made.

(5) If land has been diverted in contravention of an order passed or of a condition imposed under any of the foregoing sub-sections the competent authority may serve a notice on the person responsible for such contravention, directing him, within a reasonable period to be stated in the notice, to use the land for its original purpose or to observe the condition; and such notice may require such person to remove any structure, to fill up any excavation, or to take such other steps as may be required in order that the land may be used for its original purpose, or that the condition may be satisfied. The competent authority may also impose on such person a penalty not exceeding one hundred rupees for such contravention and a further penalty not exceeding four rupees for each day during which such contravention continues.

(6) If any person served with a notice under sub-section (5) fails within the period stated in the notice to take the steps ordered by the competent authority under that sub-section, the competent authority may itself take such steps or cause them to be taken; and any cost incurred in so doing shall be recoverable from such person in the same manner as an arrear of land revenue.

Explanation.—"Diversion" in this section means using land assessed to one purpose for any other purpose, but using land for the purpose of agriculture where it is assessed with reference to any other purpose shall not be deemed to be diversion.

21. Remission or suspension of revenue on failure of crops.—The Administrator may, in accordance with the rules made in this behalf under this Act, grant a remission or suspension of land revenue in years in which crops have failed in any area.

22. Responsibility for payment of land revenue.—(1) The following persons shall be primarily liable for the payment of land revenue assessed on land, namely:—

- (a) the person to whom the land belongs;
- (b) the under-raiyat or any other person in possession of the land provided that such under-raiyat or other person shall be entitled to credit from the owner of the land for the amount paid by him.

(2) Where there are two or more persons liable to pay land revenue under sub-section (1), all of them shall be jointly and severally liable for its payment.

23. Receipt for land revenue.—Every revenue officer receiving payment of land revenue shall, at the time when such payment is received by him, give a written receipt for the same.

CHAPTER IV.—SURVEY AND SETTLEMENT OF LAND REVENUE

24. Definitions of revenue Survey, settlement and term of settlement.—The operations carried out in accordance with the provisions of this Chapter in order to determine or revise the land revenue payable on lands in any local area are called a "revenue survey", the results of the operations are called a "settlement" and the period during which such results are to be in force is called the "term of settlement".

25. Inquiry into profits of agriculture.—(1) As soon as may be after the commencement of this Act, the Administrator shall take steps to institute and shall cause to be constantly maintained, in accordance with the rules made under this Act, an inquiry into the profits of agriculture and into the value of land used for agricultural and non-agricultural purposes.

(2) For the purpose of determining the profits of account in estimating the cost of cultivation, namely:—

- (a) the depreciation of stock and buildings;
- (b) the money equivalent of the labour and supervision by the cultivator and his family;
- (c) all other expenses usually incurred in the cultivation of the land which is under inquiry; and
- (d) interest on the cost of buildings and stock, on all expenditure for seed and manure and on the cost of agricultural operations paid for in cash.

26. Revenue survey.—Wherever the Administrator thinks it expedient so to do, may, with the approval of the Government, by notification in the Official Gazette, direct the revenue survey of any local area with a view to the settlement of the land revenue and to the preparation of a record of rights connected therewith or the revision of any existing settlement or record of rights.

27. Power to require assistance from landholders.—A survey officer deputed to conduct or take part in any revenue survey may, by special order or by general notice to be published in the prescribed manner, require the attendance of holders of lands to assist in the measurement or classification of the lands to which the revenue survey extends and, when hired labour is employed for purposes incidental to the revenue survey, may assess and apportion the cost thereof on the lands surveyed, for collection as land revenue due on such lands.

28. Survey numbers and villages.—Subject to the rules made in this behalf under this Act, the survey officer may—

- (a) divide the lands to which the revenue survey extends into villages and the villages into posts and survey numbers; and
- (b) recognise the existing villages and survey numbers, reconstitute them or form new survey numbers.

29. Division of survey numbers into sub-divisions.—The survey officer may sub-divide survey numbers into as many sub-divisions as may be required in the manner prescribed.

30. Determination of revenue rates.—The Administrator may at any time direct the determination or the revision of the revenue-rates for all lands in any area of which a revenue survey has been made.

31. Preparation of statistical and fiscal records.—It shall be the duty of the survey officer or the settlement officer on the occasion of making or revising a settlement of land revenue to prepare a register to be called the "settlement register", showing the area and assessment of each survey number, with any other particulars that may be prescribed, and other records in accordance with such orders as may from time to time be made in this behalf by the Administrator.

32. Revenue rates how determined.—For the purpose of determining the revenue rates, the settlement officer may divide any area into units and in forming such units, he shall have regard to the physical features, agricultural and economic conditions and trade facilities and communications; and shall then determine the revenue-rates for different classes of lands in each such unit in the manner and according to the principles prescribed and in particular, in the case of agricultural land, to the profits of agriculture, to the consideration paid for leases, to the sale prices of land and to the principal moneys on mortgages and in the case of non-agricultural land, to the value of the land for the purpose for which it is held.

33. Publication of table of revenue-rates.—(1) The settlement officer shall prepare a table of revenue-rates in the prescribed form and publish it in the prescribed manner for the prescribed period.

(2) Any person objecting to any entry in the table of revenue-rates may present a petition in writing to the settlement officer within the prescribed period and the

settlement officer shall consider such objections after giving a hearing to the objector.

(3) The settlement officer shall submit the table of revenue-rates to the Administrator together with a summary of objections, if any his decisions on such objections and a statement of the grounds in support of his proposals.

34. Confirmation of the table of revenue-rates.—(1) The Administrator may confirm the table of revenue-rates submitted to him by the settlement officer with such modifications, if any, as he may consider necessary. (2) The table of revenue-rates confirmed under sub-section (1) shall be finally published in the Official Gazette.

35. Rates of revenue to form part of settlement register.—The table of revenue-rates published under section 34 shall be incorporated in and form of the settlement register of the village.

36. Introduction of revenue-rates.—When the revenue-rates are determined under this Chapter in respect of any area, such rates shall take effect from the beginning of the year next after the date of final publication of the table of revenue-rates under section 34.

37. Duration of revenue-rates.—(1) When the table of revenue-rates for any area has been finally published, the rates specified therein shall remain in force for a period of thirty years.

(2) Notwithstanding anything contained in sub-section (1),—

(a) revenue-rates may be altered or revised in any year after the expiry of every ten years from the date on which the table of revenue-rates was introduced, in such manner and to such extent as may be prescribed;

(b) when the circumstances of a local area are such that a fresh determination of the revenue-rates is in the opinion of the Administrator inexpedient, he may extend the term of settlement by such further period as he may think necessary.

38. Assessment on holdings.—(1) The settlement officer shall calculate the assessment on each holding in accordance with the revenue-rates confirmed and finally published under section 34 and such assessment shall be the fair assessment.

(2) The settlement officer shall have the power to make fair assessment on all lands whatsoever to which revenue survey extends, whether such lands are held with liability to pay full land revenue or land revenue at concessional rates or are held revenue free.

(3) The fair assessment of all lands shall be calculated in accordance with rules made in this behalf and having regard to the following principles, namely:—

(a) no regard shall be had to any claim to hold land on privileged terms;

(b) regard shall be had in the case of agricultural land to the profits of agriculture, to the consideration paid for leases, to the sale prices of land and to the principal moneys on mortgages, and in the case of non-agricultural land, to the value of the land for the purpose for which it is held;

(c) where any improvement has been effected at any time in any holding held for the purpose of agriculture by or at the expense of the holder thereof, the fair assessment of such holding shall be fixed as if the improvement had not been made.

39. Additional assessment for water advantages.—Notwithstanding anything contained in this Chapter, the Administrator may direct, that any land in respect of which the rate of revenue has been determined shall be liable to be assessed to additional land revenue during the

terms of the settlement for additional advantages accruing to it from water received on account of irrigation works or improvements in existing irrigation works completed after the table of revenue-rates came into force and not effected by or at the expense of the holder of the land.

40. Continuance of survey operations and rates in force at commencement of Act.—Notwithstanding anything contained in this Chapter, all survey operations commenced under any law for the time being in force and continuing at the commencement of this Act shall be deemed to have been commenced and to be continuing under the provisions of this Chapter, and all revenue-rates in force at such commencement shall be deemed to have been determined and introduced in accordance with the provisions of this Chapter and shall remain in force until the introduction of revised revenue-rates; and such revised revenue-rates may be introduced at any time, notwithstanding anything contained in section 37.

41. Power of Collector to correct errors etc.—(1) The powers and duties exercisable by the officers referred to in section 6 may also be exercised, during the terms of settlement, by the Collector or such other revenue officer as may be specified by the administrator for the purpose by notification in the Official Gazette.

(2) The Collector may at any time during the terms of settlement correct any error in the area or the assessment of any survey number or sub-division due to a mistake of survey or arithmetical miscalculation:

Provided that no arrears of land revenue shall become payable by reason of such correction.

CHAPTER V.—LAND RECORDS

42. Preparation of record of rights.—It shall be the duty of the survey officer to prepare a record of rights for each village showing the area of each of survey number and other particulars and any other record or register, in accordance with the rules made under this Act.

43. Publication of the record of rights.—(1) When a record of rights has been prepared, the survey officer shall publish a draft of the record in such manner and for such period as may be prescribed and shall receive and consider any objections which may be made during the period of such publication, to any entry therein or to any omission therefrom.

(2) When all objections have been considered and disposed of in accordance with the rules made in this behalf, the survey officer shall cause the record to be finally published in the prescribed manner.

(3) Every entry in the record of rights as finally published shall, until the contrary is proved, be presumed to be correct.

44. Jurisdiction of civil courts to decide disputes.—The civil courts shall have jurisdiction to decide any dispute to which the Government is not a party relating to any right or entry which is recorded in the record of rights.

45. Correction of bona fide mistake in register.—The survey officer may, on application made to him in this behalf or on his own motion, within one year from the date of final publication of the record of rights, correct any entry in such record which he is satisfied has been made owing to a bona fide mistake.

46. Register of mutations.—(1) There shall be maintained for every village a register of mutations in such form as may be prescribed.

(2) Any person acquiring by succession, survivorship, inheritance, partition, purchase, gift, mortgage, lease or

otherwise any right in land or, where such person acquiring the right is a minor or otherwise disqualified, his guardian or other person having charge of his property, shall report his acquisition of such right to the village accountant within three months from the date of such acquisition and village accountant shall give at once a written acknowledgement in the prescribed form for such report to the person making it.

(3) The village accountant shall enter the substance of every report made to him under sub-section (2) in the register of mutations and also make an entry therein respecting the acquisition of any right of the kind mentioned in sub-section (2) which he has reason to believe to have taken place and of which a report has not been made under the said sub-section and, at the same time, shall post up a complete copy of the entry in a conspicuous place in the village and shall give written intimation to all persons appearing from the record of rights or the register of mutations to be interested in the mutations and to any other person whom he has reason to believe to be interested therein.

(4) Should any objection to an entry made under sub-section (3) in the register of mutations be made either orally or in writing to the village accountant, he shall enter the particulars of the objection in the register of disputed cases and shall at once give a written acknowledgement in the prescribed form for the objection to the person making it.

(5) The objections made under sub-section (4) shall be decided on the basis of possession by the competent authority and orders disposing of objections entered in the register of disputed cases shall be recorded in the register of disputed cases shall be recorded in the register of mutations by the competent authority.

(6) After the entries in the register of mutations have been tested and found correct, the entries shall be transferred to the record of rights and shall be certified by such officer as may be prescribed in this behalf.

47. Penalty for neglect to afford information.—The Collector may, if he is of opinion that any person has wilfully neglected to make the report required by section 46 within the prescribed period, impose on such person a penalty not exceeding twenty-five rupees.

48. Assistance in preparation of maps.—Subject to rules made under this Act,—

(a) any revenue officer may, for the purpose of preparing or revising any map or plan required for or in connection with any record or register under this Chapter, exercise any of the powers of the survey officer under section 27 except the power of assessing the cost of hired labour; and

(b) any revenue officer not below the rank of sub-divisional officer may assess the cost of the preparation or revision of such maps or plans and all expenses incidental thereto, and such costs and expenses shall be recoverable in the same manner as an arrear of land revenue.

49. Certified copies.—Certified copies of entries in the record of rights may be granted by such officers and on payment of such fees as may be prescribed.

50. Maps and other records open to inspection.—Subject to such rules and on payment of such fees, if any, as may be prescribed, all maps and land records shall be open to inspection by the public during office hours, and certified extracts therefrom or certified copies thereof may be given to all persons applying for the same.

51. Powers to transfer duty of maintaining maps and records to settlement officer.—When a local area is under settlement, the duty of maintaining the maps and records

may, under the orders of the Administrator, be transferred from the Collector to the settlement officer.

CHAPTER VI—BOUNDARIES AND BOUNDARY MARKS

52. Determination of village boundaries.—The boundaries of villages, survey numbers, sub-divisions and fields shall be fixed, and all disputes relating thereto shall be determined, by survey officers or by such other officers as may be appointed by the Administrator for the purpose, in accordance with the rules made in this behalf.

53. Effect of settlement of boundary.—(1) The settlement of a boundary under this Chapter shall be determinative—

(a) of the proper position of the boundary line or boundary marks; and

(b) of the rights of the landholders on either side of the boundary fixed in respect of the land adjudged to appertain, or not to appertain, to their respective holding.

(2) Where a boundary has been so fixed, the Collector may at any time summarily evict any landholder who is wrongfully in possession of any land which has been adjudged in the settlement of a boundary not to appertain to his holding or to the holding of any person through or under whom he claims.

54. Constitution and repair of boundary marks.—It shall be lawful for any survey officer authorised in this behalf to specify, or cause to be constructed, laid out, maintained or repaired, boundary marks of villages or survey numbers or sub-divisions and to assess all charges incurred thereby on the holders or others having an interest therein.

55. Description of boundary marks.—The boundary marks shall be of such description and shall be constructed laid out, maintained or repaired in such manner and shall be of such dimensions and materials as may, subject to the rules made under this Act, be determined by the Collector or other officer appointed for the purpose.

56. Responsibilities for maintaining boundary marks.—Every landholder shall be responsible for the maintenance and good repair of the boundary marks of his holding and for any charge reasonably incurred on account of the same by the revenue officers in case of alteration, removal or disrepair. It shall be the duty of the village officers and servants to prevent the destruction or unauthorised alteration of the village boundary marks.

57. Collector to have charge of boundary marks.—After the introduction of survey and settlement in a district, the charge of the boundary marks shall devolve on the Collector and it shall be his duty to take measures for their construction, laying out maintenance and repair.

58. Penalty for injuring boundary marks.—Any person wilfully erasing, removing or injuring a boundary mark shall be liable to such penalty not exceeding fifty rupees as the competent authority may impose.

CHAPTER VII.—REALISATION OF LAND REVENUE AND OTHER PUBLIC DEMANDS

59. Land revenue to be first charge.—Land revenue assessed on any land shall be the first charge on that land and on the crops, rents and profits thereof.

60. Payment of land revenue.—Land revenue shall be payable at such times, in such instalments, to such persons, and at such places, as may be prescribed.

61. Arrear of land revenue.—(1) Any instalment of

land revenue or part thereof which is not paid on the due date shall become an arrear of land revenue and the person responsible for the payment shall become a defaulter.

(2) A statement of account certified by the circle officer shall, for the purpose of this Chapter, be conclusive evidence of the existence of the arrear, of its amount and of the person who is the defaulter:

Provided that nothing in this sub-section shall prejudice the right of such person to make payment under protest and to question the correctness of the account in separate proceedings before the competent authority.

62. Recovery of arrears.—An arrear of land revenue may be recovered by any one or more of the following processes, namely:—

- (a) by serving a written notice of demand of the defaulter;
- (b) by distraint and sale of the defaulter's movable property, including the produce of the land;
- (c) by the attachment and sale of the defaulter's immovable property.

63. Notice of demand.—The form and contents of the notice of demand and the officers by whom such notice shall be issued shall be such as may be prescribed.

64. Distraint and sale of movable property.—(1) The distraint and sale of the movable property of a defaulter shall be made such officers or class of officers, in such manner and in accordance with such procedure, as may be prescribed.

(2) Nothing in sub-section (1) shall be deemed to authorise the distraint or sale of any property which, under the Code of Civil Procedure, 1908, is exempt from attachment or sale in execution of a decree or of any article set aside exclusively for religious use.

65. Sale of immovable property.—(1) When the Collector is of opinion that the processes referred to in clause (a) and (b) of section 62 are not sufficient for the recovery of an arrear, he may, in addition to or instead of any of those processes, cause the land in respect of which such arrear is due to be attached and sold in the prescribed manner.

(2) The Collector may also cause the right, title and interest of the defaulter in any other immovable property to be similarly attached and sold.

66. Notice of sale.—(1) Before effecting the sale of any land or other immovable property under the provisions of this Chapter, the Collector or other officer empowered in this behalf shall issue such notices and proclamations in such form, in such manner and containing such particulars, as may be prescribed; the notices and proclamations shall also be published in such manner as may be prescribed.

(2) A copy of every notice or proclamation issued under sub-section (1) shall be served on the defaulter.

67. Sale to be by auction.—All sales of property, movable or immovable, under this Chapter shall be by public auction held in accordance with such rules as may be prescribed.

68. Prohibition to bid at auction.—No officer having any duty to perform in connection with any such sale and no person employed by or subordinate to such officer shall, either directly or indirectly, bid for or acquire any property except on behalf of the Government.

69. Sale of perishables.—Perishable articles shall be sold by auction with the least possible delay and such sale shall be finally concluded by the officer conducting the sale.

70. Sales not to be excessive.—Every sale of property, movable or immovable, under the provisions of this

Chapter shall, as far as may be practicable, be proportionate to the amount of the arrear of land revenue to be recovered together with the interest thereon and the expenses of attachment and sale.

71. Deposit by purchaser of immovable property.—In all cases of sale of immovable property, the party who is declared to be the purchaser shall be required to deposit immediately 25 per cent of the amount of his bid, and the balance within fifteen days of the date of sale.

72. Failure to make deposit.—(1) In default of the payment of deposit referred to in section 71, the property shall be put up for re-sale and the expenses incurred in connection with the sale shall be borne by the defaulting bidder.

(2) In default of payment of the balance of the bid amount within the period prescribed in section 71, the deposit after defraying therefrom the expenses of the sale shall be forfeited to the Government and the property shall be re-sold.

(3) Where the proceeds of the re-sale are less than the price bid by such defaulting purchaser, the difference shall also be recoverable from him in the same manner as an arrear of land revenue.

73. Setting aside sale.—Where immovable property has been sold under this Chapter, the defaulter, or any person owing such property or holding an interest therein, may, at any time, within thirty days of the date of sale or within such further period, not exceeding thirty days as the Collector may for sufficient cause allow, apply in the prescribed manner to the Collector to have the sale set aside—

- (a) on the ground of some material irregularity or mistake or fraud resulting in substantial loss or injury to him, or
- (b) on his depositing in the Collector's office the amount of the arrear specified in the proclamation of sale, the cost of the sale and for payment to the purchaser, a sum equal to 5 per cent of the purchase money.

74. Confirmation of sale.—If, on the expiration of thirty days from the date of sale of any immovable property or of the further period, if any, allowed under section 73, no application has been made for setting aside the sale, or if any such application has been made and rejected, the Collector shall make an order confirming the sale unless, for reasons to be recorded, the Collector sets aside the sale notwithstanding that no application therefor has been made.

75. Refunds.—(1) The Collector shall order the refund and payment to the purchaser of—

- (a) the amounts deposited by him under section 71; and
- (b) the sum equal to 5 per cent of the purchase money deposited under clause (b) of section 73; if the sale is not confirmed or is set aside.

(2) The Collector shall order the refund and payment of all the moneys deposited under clause (b) of section 73 to the persons who made the deposit, if the sale is confirmed.

Provided that the Collector may set off the whole or any part of any such moneys against any arrear of land revenue or any other arrear recoverable as an arrear of land revenue, which may be outstanding against the person who made the deposit.

76. Certificate of purchase.—When a sale held under this Chapter is confirmed, the Collector shall put the person declared to be the purchaser in possession of the

property and shall grant him a certificate in the prescribed form to the effect that he has purchased the property specified therein, and such certificate shall be deemed to be a valid transfer of such property.

77. Application of proceeds of sale.—The proceeds of the sale of any property under this Chapter shall be applied in defraying the expenses of the sale which shall be determined in the prescribed manner and the balance shall be applied to the payment of the arrears on account of which the sale was held and the surplus, if any, shall be paid to the person whose property has been sold.

78. Liability of certified purchaser.—The person who has purchased any land and to whom a certificate of purchase has been granted shall not be liable for the land revenue in respect of the land of any period prior to the date of the sale.

79. Precautionary measures in certain cases.—When the crop of any land or any portion of the same is sold, mortgaged or otherwise disposed of, the Collector may, if he thinks necessary, prevent its being removed from the land until the demand for the current year in respect of the said land is paid, whether the date fixed for the payment of the same has arrived or not.

80. Recovery of other public demands.—The following moneys may be recovered under this Act, in the same manner as an arrear of land revenue, namely:—

- (a) rent, fees and royalties due to the Government for use or occupation of land or water or any product of land;
- (b) all moneys falling due to the Government under any grant, lease or contract which provides that they shall be recoverable as arrears of land revenue;
- (c) all sums declared by this Act or any other law for the time being in force to be recoverable as an arrear of land revenue.

CHAPTER VIII.—PROCEDURE OF REVENUE OFFICERS: APPEALS AND REVISIONS

81. Revenue Officers to be courts.—(1) A revenue officer, while exercising power under this Act or any other law for the time being in force to inquire into or to decide any question arising for determination between the Government and any person or between parties to any proceedings, shall be a revenue court.

(2) Nothing in this Act shall be deemed to limit or otherwise affect the inherent power of the revenue court to make such orders as may be necessary for the ends of justice or to prevent the abuse of the process of the revenue court.

82. Place of hearing.—Except for reasons to be recorded in writing, no revenue officer shall inquire into or hear any case at any place outside the local limits of his jurisdiction:

Provided that a sub-divisional officer may inquire into or hear any case at the headquarters of the district to which he is appointed.

83. Power to enter upon and survey land.—All revenue officers and persons acting under their orders may enter upon and survey any land and demarcate boundaries and do all other acts necessary for the purpose of discharging their duties under this Act or any other law for the time being in force and in so doing, shall cause no more damage than the circumstances of the case may require.

84. Power to transfer cases.—(1) The Administrator may transfer any case or class of cases arising under this Act or any other law for the time being in force from

any other revenue officer competent to deal with it.

(2) The Collector or a sub-divisional officer may transfer any case or class of cases arising under this Act or any other law for the time being in force for inquiry or decision from his own file or from the file of any revenue officer subordinate to him competent to deal with such case or class of cases.

85. Power to evidence, summon witness, etc.—(1) Every revenue officer not lower in rank than a circle officer acting as a revenue court shall have power to take evidence and to summon any person whose attendance he considers necessary, either as a party or as a witness or to produce any document, for the purpose of any inquiry which such officer is legally empowered to make; and all persons so summoned shall be bound to attend either in person or by an authorised agent as such officer may direct, and to produce such documents as may be required.

(2) Every summons shall be in writing, signed and sealed by the officer issuing it and shall be in such form and be served in such manner as may be prescribed.

86. Compelling attendance of witnesses.—If any person on whom a summons to attend as witness or to produce any document has been served fails to comply with the summons, the officer by whom the summons has been issued under section 85 may—

- (a) issue a bailable warrant of arrest;
- (b) order him to furnish security for appearance; or
- (c) impose upon him a fine not exceeding rupees twenty.

87. Hearing in absence of party.—(1) If, on the date fixed for hearing a case or proceeding, a revenue officer finds that a summons or notice was not served on any party due to the failure of the opposite party to pay the requisite process fees for such service, the case or proceeding may be dismissed for default of payment of such process fees.

(2) If any party to a case or proceeding before a revenue officer does not appear on the date fixed for hearing, the case may be heard and determined in his absence or may be dismissed for default.

(3) The party against whom any order is passed under sub-section (1) or (2) may apply, within thirty days from the date of such order, to have it set aside on the ground that he was prevented by sufficient cause from paying the requisite process fees or from appearing at the hearing; and the revenue officer may, after notice to the opposite party and after making such inquiry as he considers necessary, set aside the order passed.

88. Adjournment of hearing.—(1) A revenue officer may, from time to time, for reasons to be recorded, adjourn the hearing of a case or proceeding before him:

(2) The date and place of an adjourned hearing shall be intimated at the time of the adjournment to such of the parties and witnesses as are present.

89. Power to order payment of costs.—A revenue officer may direct the parties to pay the cost incurred in any case before him and also apportion the cost among the parties in such manner and to such extent as he may think fit.

90. Use of force.—Where any order is passed under this Act directing any person to deliver possession of land or directing the eviction of any person from land, such order shall be executed by the competent authority in such manner as may be prescribed and it shall be lawful for such authority, in accordance with rules to be prescribed, to take such steps and use or cause to be used such force as may be reasonably necessary for securing compliance with the order.

91. Appearance before and applications to revenue

officers.—All appearances before, applications to, and acts to be done before, any revenue officer under this Act or any other law for the time being in force may be made or done by the parties themselves or by their authorised agents or by any legal practitioner:

Provided that any such appearance shall, if the revenue officer so directs, be made by the party in person.

92. Correction of error or omission.—Any revenue officer by whom an order was passed in a case or proceeding may, either on his own motion or on the application of a party, correct any error or omission not affecting a material part of the case or proceeding, after such notice to the parties as he may consider necessary.

93. Appeals.—(1) Save as otherwise expressly provided an appeal shall lie from every original order passed under this Act,—

- (a) if such an order is passed by an officer subordinate to the sub-divisional officer, to the sub-divisional officer;
- (b) if such an order is passed by the sub-divisional officer, to the Collector;
- (c) if such an order is passed by the Collector, to the Administrator;
- (d) if such an order is passed by an assistant survey and settlement officer, to the survey and settlement officer or to a revenue officer notified by the Administrator in the Official Gazette to be the appellate authority; and
- (e) if such an order is passed by a survey and settlement officer, to the director of settlement and land records or to a revenue officer notified by the Administrator in the Official Gazette to be the appellate authority.

(2) A second appeal shall lie against any order passed in first appeal,—

- (a) if such an order is passed under clause (a) of sub-section (1), to the Collector;
- (b) if such an order is passed under clause (b) of sub-section (1), to the Administrator;
- (c) if such an order is passed under clause (d) of sub-section (1), to the director of settlement and land records or to a revenue officer notified by the Administrator in the Official Gazette to be the second appellate authority; and
- (d) if such an order is passed under clause (e) sub-section (1), to the Administrator.

94. Limitation of appeals.—(1) No appeal shall lie,—

- (a) in the case of a first appeal, after the expiry of thirty days from the date of the order appealed against, and
 - (b) in the case of a second appeal, after the expiry of sixty days from the date of the order appealed against.
- (2) In computing the above period, the time required to obtain copies of the order appealed against shall be excluded.

95. Revision.—The Administrator or the Collector may, at any time, either on his own motion or on the application of any party, call for the records of any proceedings before any revenue officer subordinate to him for the purpose of satisfying himself as to the legality or the propriety of any order passed by such revenue officer, and may pass such order in reference thereto as he thinks fit:

Provided that he shall not vary or reverse any order affecting any right between private persons without having given to the parties interested notice to appear and be heard.

96. Review of orders.—(1) A revenue officer may,

either on his own motion or on the application of any party interested, review any order passed by himself or by any of his predecessors-in-office and pass such order in reference thereto as he thinks fit:

Provided that a revenue officer subordinate to the Collector shall, before reviewing any order under this section, obtain the permission of the Collector and the Collector shall, before reviewing an order passed by any of his predecessors-in-office obtain the permission of the Administrator.

(2) No order affecting any question of right between private person shall be reviewed except on the application of a party to the proceedings or except after notice to the other party and no application for the review of such order shall be entertained unless it is made within ninety days from the date of the order.

(3) No order shall be reviewed except on the following grounds, namely:—

- (i) discovery of new and important matter of evidence;
- (ii) some mistake or error apparent on the face of the record; or
- (iii) any other sufficient reason.

(4) For the purposes of this section, the Collector shall be deemed to be the successor-in-office of any revenue officer who has left the district or who has ceased to exercise powers as a revenue officer and to whom there is no successor in the district.

(5) An order which has been dealt with in appeal or on revision shall not be reviewed by any officer subordinate to the appellate or revisional authority.

97. Stay of execution of orders.—(1) A revenue officer who has passed any order or his successor-in-office may, at any time before the expiry of the period prescribed for appeal, direct the stay of execution of such order for such period as he thinks fit provided that no appeal has been filed.

(2) Any authority before whom a case is pending in appeal or revision may direct the stay of execution of the order appeals from or under revision for such period as it may think fit.

(3) The revenue officer or other authority directing such stay if execution of any order may impose such conditions, or order such security to be furnished, as he or it may think fit.

98. Power to make rules.—(1) The Administrator may, by notification in the Official Gazette, make rules for carrying out the purposes of this Part.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the manner of appointment of revenue officers, survey officers and settlement officers, and other village officers and servants, their powers and duties, the official seals, if any, to be used by them and the size and description of the seals;
- (b) the Collector's powers of superintendence and control over other officers;
- (c) the officers who should hear and decide disputes regarding rights in or over any property claimed by or against the Government and the procedure to be followed by them;
- (d) the disposal of Government lands by assignment or grant to individuals or to public purposes and the terms and conditions subject to which such assignments or grants may be made;
- (e) the preservation and disposal of trees, brush wood, jungle and other natural products on Government land and the recovery of the value of trees or other natural product unauthorisedly appropriated by persons;

- (f) the procedure for summary eviction of trespassers on Government land;
- (g) the alteration and revision of the land revenue in cases of alluvion or diluvion or of diversion of land for purposes other than agriculture;
- (h) the grant of permission to use agricultural land for non-agricultural purposes;
- (i) the determination of additional rates for use of water;
- (j) the circumstances in which remission or suspension of revenue may be made and the rate of such remission or suspension;
- (k) the form of receipt for payment of land revenue;
- (l) the conduct of surveys and settlements of land revenue;
- (m) the manner of estimating the cost of cultivation and other expenses in relation to the inquiry into profits of agriculture;
- (n) the decision of survey numbers into sub-divisions and the assessment of sub-divisions;
- (o) the statistical, fiscal and other records and registers to be prepared and maintained under this Part;
- (p) the manner in which the costs and expenses incidental to revenue survey or the construction, repair and maintenance of boundary marks shall be determined and apportioned between persons who are liable to bear the same;
- (q) the fixing, construction, laying out, maintenance and repair of boundary marks, and the settlement of disputes relating thereto;
- (r) the division of areas into units for determining the revenue-rates and the preparation of the table of revenue-rates;
- (s) the preparation and the preliminary and final publication of the record of rights and the table of revenue-rates;
- (t) the hearing and disposal of objections to any entry or omission in the table of revenue-rates, the record of rights, and the register of mutations;
- (u) the manner and extent of alternation or revision of revenue-rates during the term of settlement;
- (v) the correction of *bona fide* errors and mistakes in the revenue records, registers and maps prepared under this Part;
- (w) the manner in which the average yield of crops of land shall be ascertained;
- (x) the manner of holding inquiries by revenue officers under this Part;
- (y) the application of the provisions of the Code of Civil Procedure, 1908 (5 of 1908), to cases and proceedings before a revenue court;
- (z) the form of summons and other processes, notices, orders and proclamations to be issued or made by revenue officers and the manner of their service;
- (aa) the procedure for the attachment and sale of property and the confirmation and the setting aside of sales of immovable property under Chapter VII;
- (bb) the manner of publication of notices and proclamations of attachment and sale of property;
- (cc) the manner in which the cost and expenses incidental to the attachment and sale of property shall be determined;
- (dd) the manner of payment of deposit and of the purchase money of property sold for arrears of land revenue;
- (ee) the circumstances in which precautionary measures for securing the land revenue under section 79 may be taken;
- (ff) the procedure for the transfer of cases from one revenue officer to another;

- (gg) the manner of preferring appeals or applications for revision or review, the documents to accompany the memorandum of appeal or such application and the fee, if any, leviable therefor;
- (hh) the grant of certified copies and the payment of fees for inspection and grant of certified copies of revenue records and registers;
- (ii) the mode of execution of any orders directing any person to deliver possession of land or to be evicted from land, including the use of force for securing compliance with such order;
- (jj) any other matter which is to be or may be prescribed.

PART III

CHAPTER IX.—RIGHTS OF RAIYATS IN LAND

99. *Rights of raiyats.*—(1) For the removal of doubts, it is hereby declared that subject to the other provisions of this Act,—

- (a) the rights of a raiyat in his land shall be permanent, heritable and transferable;
- (b) the raiyat shall be entitled by himself, his servants, under-raiyats, agents or other representatives to erect farm buildings, construct wells or tanks make other improvements thereon for the better cultivation of the land or its convenient or profitable use;
- (c) the raiyat is entitled to plant trees on his land, to enjoy the products thereof and to fell, utilise or dispose of the timber of any trees on his land.

(2) Nothing in sub-section (1) shall entitle a raiyat to use his land to the detriment of any adjoining land which is not his or in contravention of the provisions of any other law for the time being in force applicable to such lands.

100. *Reservation of land for personal cultivation.*—(1) Every raiyat who, at the commencement of this Act, owns land in excess of a basic holding shall be entitled to apply to the competent authority for the reservation for his personal cultivation of any parcel or parcels of his land leased to under-raiyats.

(2) Every application under sub-section (1) shall be in the prescribed form and shall be made in the prescribed manner within a period of one year from the commencement of this Act.

Explanation.—In the case of a person under disability, the application shall be made by his guardian or his authorised agent, as the case may be.

101. *Procedure for reservation of lands.*—(1) The competent authority shall, on an application made under section 100, issue notice together with a copy of the application to each of the under-raiyats holding land from the applicant requiring the under-raiyat to submit his objections, if any, within a period of ninety days from the date of service of such notice or within such further period as the competent authority may allow.

(2) An under-raiyat on whom a notice has been served under sub-section (1) shall furnish to the competent authority within the period aforesaid details of lands owned by him or held as under-raiyat of any other raiyat and of lands which he selects for retention by him.

(3) The competent authority shall, after considering the objections and the details, if any, furnished by the under-raiyats and after making such inquiry as it may consider necessary, determine the land or lands, not exceeding the permissible limit, which in its opinion having regard to all the circumstances of the case may be reserved for personal cultivation of the raiyat and the

lands which each of his under-riayats may be allowed to retain.

102. "Permissible limit" defined.—(1) In section 101, "permissible limits" means an area of land which a raiyat may resume from under-riayats for personal cultivation, that is to say,—

- (a) in the case of a person under disability, 25 standard acres;
- (b) in the case of any other person who—
 - (i) owns a basic holding or less, the entire area owned by him;
 - (ii) owns more than a basic holding but not exceeding a family holding, one-half of the area leased to under-riayat or the area by which the land under his personal cultivation falls short of a basic holding, whichever is greater;
 - (iii) owns more than a family holding,—
 - (1) if he has no land, or any land which is less than a family holding, under his personal cultivation, one-half of the area leased to under-riayats but not exceeding the area by which land under his personal cultivation falls short of a family holding, provided that the under-riayat is left with not less than a basic holding and provided further that a raiyat shall in any case be entitled to resume an area by which land under his personal cultivation falls short of a basic holding; and
 - (2) if he has a family holding or more under his personal cultivation, the area leased to under-riayats but not exceeding the area by which land in his personal cultivation falls short of 25 standard acres, provided that the under-riayat is left with not less than a family holding.

Explanation.—For the purpose of determining the permissible limit of a raiyat under this sub-section, any non-resumable land which he may hold as an under-riayat shall also be taken into account.

(2) Notwithstanding anything contained in sub-section (1), an under-riayat who under any law, custom or usage is not liable to eviction at the commencement of this Act, on the ground that the land is required for personal cultivation, shall in all cases be left with a basic holding or the land actually held by him, whichever is less.

(3) Any transfer of land made on or after the 10th August, 1957 shall be disregarded in computing the permissible limit.

103. Land deemed to be reserved for personal cultivation in certain cases.—In the case of a raiyat who at the commencement of this Act does not own land in excess of a basic holding, all lands owned by him and held by under-riayats at such commencement shall, subject to the provisions of sub-section (2) of section 102, be deemed to have been reserved for his personal cultivation.

Explanation.—Any transfer of land made on or after the 10th August, 1957 shall be disregarded in determining the extent of land owned by a raiyat at the commencement of this Act.

104. Non-resumable land.—The competent authority shall declare every land which, under sub-section (3) of section 101, an under-riayat is allowed to retain to be the non-resumable land of the under-riayat.

105. Right to lease.—(1) Subject to the provisions of this Act, a raiyat may lease out his land to another person on such rent not exceeding the maximum rent referred to in section 111 as may be agreed upon between him and such person.

(2) Every lease of land made after the commencement of this Act shall be for a period of five years and at the end of the said period, and thereafter at the end of every such period of five years, the tenancy shall, subject to the provisions of sub-section (3), be deemed to be renewed for a further period of five years on the same terms and conditions except to the extent that a modification thereof consistent with this Act is agreed to by both parties.

(3) In respect of any lease made after the commencement of this Act, a raiyat who is a member of the Armed Forces of the Union, on his discharge from service or posting to the reserve, may by giving the under-riayat three months' notice in writing before the expiry of any year, and any other raiyat may be giving the under-riayat one year's notice in writing before the expiry of any term of five years, terminate the tenancy if the raiyat requires the land *bona fide* for personal cultivation by him.

106. Land left uncultivated.—(1) Where the Collector is satisfied that any land has remained uncultivated for a period of not less than two consecutive years otherwise than in accordance with rules made in this behalf under this Act, and that it is necessary for the purpose of ensuring the full and efficient use of the land for agriculture to do so, he may after making such inquiry as may be prescribed lease out the land in accordance with the rules made under this Act.

(2) Any lease made under sub-section (1) shall be deemed to be a lease made by the raiyat under sub-section (1) of section 105.

107. Relinquishment.—(1) Subject to any rules that may be under this Act, a raiyat may relinquish his rights in respect of any land in his possession in favour of Government by giving a notice in writing to the competent authority in such form and manner as may be prescribed, not less than three months before the close of any year and thereupon he shall cease to be a raiyat in respect of that land from the year next following the date of notice:

Provided that relinquishment of only a part of a holding which, or part of which, is subject to an encumbrance or a charge, shall not be valid.

(2) If any person relinquishes his rights to a land under sub-section (1), the way to which lies through other land retained by him, any future holder of the land relinquished shall be entitled to a right of way through the land retained.

CHAPTER X.—RIGHTS OF UNDER-RIAYAT

108. Interest of under raiyats.—(1) The interest of an under-riayat in any land held by him as such shall be heritable but, save as otherwise provided in this Act, shall not be transferable.

(2) No under-riayat shall be evicted from his land except as provided in this Act.

109. Right to create a mortgage or charge.—It shall be lawful for an under-riayat to create a simple mortgage or a charge on his interest in the land leased to him, in favour of the Government or a co-operative society, in consideration of any loan advanced to him by the Government or such society; and in the event of his making default in the repayment of such loan in accordance with

its terms, it shall be lawful for the Government or the society, as the case may be, to cause his interest in the land to be attached and sold and the proceeds applied in payment of such loan.

110. Right to make improvements.—An under-raiyat may, with the permission in writing of the raiyat, or if permission is refused without sufficient reason or is not given within two months, after obtaining the orders of the competent authority in the prescribed manner, make at his own expense any improvement to the land held by him, but shall not become liable to pay a higher rate of rent on account of any increase of production or of any change in the nature of the crop raised, as a consequence of such improvement.

111. Maximum rent.—The rent payable by an under-raiyat in respect of any land held by him shall not exceed,—

- (a) where the rent is payable in kind as a share of the produce, one-fourth of the produce of such land or its value estimated in the prescribed manner if plough cattle for the cultivation of such land is supplied by the raiyat and one-fifth of such produce or its value as so estimated if plough cattle is not supplied by the raiyat;
- (b) in any other case, four times the land revenue payable in respect of the land.

112. Payment of rent.—(1) The rent payable by an under-raiyat shall, subject to the provisions of section III, be the rent agreed upon between him and the raiyat, or where there is no such agreement, the reasonable rent.

(2) The rent shall be paid at such times and in such manner as may have been agreed upon, or in the absence of such agreement, as may be prescribed.

113. Reasonable rent.—(1) The competent authority may, on application made to it in this behalf by the raiyat or the under-raiyat, determine the reasonable rent for any land.

(2) The form of application under sub-section (1) and the procedure to be followed by the competent authority shall be such as may be prescribed.

(3) In determining the reasonable rent, the competent authority shall have regard to—

- (a) the rental value of lands used for similar purposes in the locality;
- (b) the profits of agriculture of similar lands in the locality;
- (c) the price of crops and commodities in the locality;
- (d) the improvements, if any, made to the land by the raiyat or the under raiyat;
- (e) the land revenue payable in respect of the land; and
- (f) any other factor which may be prescribed.

(4) Where the reasonable rent for any land has been determined under this section, it shall not be altered for a period of five years except on any of the following grounds, namely:—

- (a) that the quality of the land has deteriorated by flood or other natural causes;
- (b) that there has been an increase in the produce of the land on account of improvements made to it at the expense of the raiyat;
- (c) that the extent of land has been altered by more than one acre by alluvion or diluvion;
- (d) that the land has been partially or wholly rendered unfit for cultivation.

(5) Nothing in sub-section (1) to (4) shall affect the right of the Government to make an order directing the determination of the reasonable rent of lands in any specified area.

114. Commutation of rent payable in kind.—(1) In any case in which rent is payable in kind, the raiyat or the under-raiyat may apply in writing to the competent authority in the prescribed form and manner, for commuting the rent into money rent.

(2) On receipt of such application, the competent authority shall, after giving notice to the other party, determine the money rent payable for the land in accordance with the following provisions but not exceeding the maximum rent specified in section 111.

(3) In determining the money rent, regard shall be had to—

- (a) the average money rent payable by under-raiyats for land of similar description and with similar advantages in the vicinity;
- (b) the average value of the rent for the land actually received by the raiyat during the three years preceding the date of application;
- (c) the average prices of crops and commodities in the locality during the three years preceding the date of application;
- (d) the improvements, if any, made to the land by the raiyat or the under-raiyat; and
- (e) any other factor which may be prescribed.

115. Receipt for payment of rent.—Every raiyat shall give or cause to be given a receipt for the rent received by him or on his behalf in such form as may be prescribed duly signed by him or his authorised agent.

116. Refund of rent recovered in excess.—If any raiyat recovers from an under-raiyat rent in excess of the amount due under this Act, he shall forthwith refund the excess amount so recovered and shall also be liable to punishment as provided in this Act.

117. Suspension or remission of rent.—(1) Where a raiyat has obtained from or been granted by the Government any relief by way of suspension or remission, whether in whole or in part, of the land revenue payable in respect of his land, he shall be bound to give, and the under-raiyat concerned shall be entitled to receive from the raiyat, a corresponding or proportionate relief by way of suspension or remission of rent payable in respect of such land.

(2) The nature and extent of the relief which a raiyat is bound to give and which the under-raiyat is entitled to receive under sub-section (1) shall be determined in accordance with the rules made under this Act.

(3) No suit shall lie and no decree of a civil court shall be executed for the recovery by a raiyat of any rent the payment of which has been remitted, or during the period for which the payment of such rent has been suspended, under this section.

(4) The period during which the payment of rent is suspended under this section shall be excluded in computing the period of limitation for any suit or proceeding for the recovery of such rent.

(5) If any raiyat fails to suspend or remit the payment of rent as provided in sub-section (1), he shall be liable to refund to the under-raiyat the amount recovered by him in contravention of the provisions of this section and shall also be liable to punishment as provided in this Act.

118. Eviction of under-raiyat.—(1) No person shall be evicted from any land held by him as under-raiyat except under the order of the competent authority made on any of the following grounds, namely:—

- (a) that the land has been reserved for personal cultivation of the raiyat under section 101, or is deemed to have been reserved for personal cultivation of the raiyat under section 103;
- (b) that a notice has been given to the under-raiyat under sub-section (3) of section 105;
- (c) that the under-raiyat has intentionally and wilfully

committed such acts of waste as are calculated to impair materially or permanently the value or utility of the land for agricultural purposes;

- (d) that the under-raiyat has failed to pay rent within a period of three months after it falls due:

Provided that the competent authority may, if it thinks fit, grant further time not exceeding six months for payment of the rent;

- (e) that the under-raiyat, not being a person under disability, has, after the commencement of this Act, sublet the land without the consent in writing of the raiyat.

- (2) No order for eviction of an under-raiyat shall be executed till the standing crops, if any, on the land are harvested.

(3) Where any land has been reserved for the personal cultivation of a raiyat by an order made under sub-section (3) of section 101, no suit or application for the eviction of the under-raiyat in respect of such land under clause (a) of sub-section (1) shall lie after the expiry of five years from the commencement of this Act or one year from the date of the said order, whichever is later:

Provided that where any such raiyat is a person under disability, such suit or application may be instituted or made within a period of five years from the date when the disability ceases.

Explanation.—For the purposes of this sub-section, the disability of a person shall cease,—

- (a) in the case of a widow, if she re-marries, on the date of her remarriage or if any person succeeds to the widow on her death, on the date of her death;

- (b) in the case of a minor, on the date of his attaining majority;

- (c) in the case of a woman who is unmarried or who is divorced or judicially separated from her husband, on the date of her marriage or remarriage, as the case may be, or in the case of a woman whose husband is a person falling under clause (d) or (e), on the date on which the disability of the husband ceases;

- (d) in the case of a person who is a member of the Armed Forces of the Union, on the date of his discharge from service or of his posting to the reserve;

- (e) in the case of a person suffering from a physical or mental disability, on the date on which the disability ceases to exist.

119. Restoration of possession of land to under-raiyat.—Where a person who has taken possession of any land by evicting an under-raiyat therefrom on the ground that the land had been reserved for personal cultivation by him, fails to cultivate such land personally within one year from the date on which he took possession thereof or ceases to cultivate such land personally in any year during a period of four years next following, the under raiyat shall be entitled to be restored to possession of the land from which he was evicted.

Explanation.—For the purpose of this section, land shall not be deemed to be under the personal cultivation of a person (not being a person under disability) unless such person or a member of his family engages himself in the principal agricultural operations.

120. Certain lands to be non-resumable land of under-raiyat.—If a raiyat fails to—

- (a) apply for reservation of any land within the period prescribed in section 100, and the land is not deemed to have been reserved under section 103, or

- (b) file a suit or application for the eviction of the under-raiyat from any land reserved under section

101 within the period prescribed in sub-section (3) of section 118, or

- (c) cultivate or cease to cultivate the land and the under-raiyat is restored to possession of the land under section 119,

the competent authority may *suo motu* and shall, on application, after making such inquiry as may be prescribed, declare the land to be the non-resumable land of the under raiyat.

121. Compensation for improvements.—(1) An under-raiyat who has made any improvement at his own expense on the land leased to him shall, if he is to be evicted under the provisions of this Chapter, be entitled to receive compensation, before he is so evicted, for such improvement as, in the opinion of the competent authority, is reasonable.

(2) The compensation payable to an under-raiyat under sub-section (1) shall be determined in accordance with the value of such improvements on the date of eviction, and in determining such improvements on the date of eviction, and in determining such compensation, regard shall be had to the following matters, namely:—

- (a) the amount by which the value of the land has increased by reason of the improvement;

- (b) the condition of the improvement at the date of the determination of the value thereof and the probable duration of its effect;

- (c) the labour and capital involved in the making of the improvement; and

- (d) the advantages secured by the under-raiyat in consideration of the improvement made by him.

(3) In any case in which compensation is payable to an under-raiyat under this section, the competent authority may direct that—

- (a) the whole or any part of any loan which the under-raiyat has taken on the security of his interest in the land under section 109 and which is outstanding shall be deducted from such compensation and paid to the Government or the co-operative society, as the case may be;

- (b) any arrear of rent due by the under-raiyat to the raiyat and the costs, if any, awarded to the raiyat shall be adjusted against the compensation.

122. Under-raiyat may remove building, works, etc., not deemed improvements.—An under-raiyat against whom an order of eviction has been passed, shall be entitled to remove within such time as is deemed reasonable by the competent authority any work of improvement which can be served from the land and which the under-raiyat desires to remove, or any building or construction or work (which is not an improvement) in respect of which the raiyat is not willing to pay the compensation.

123. Restoration of possession of land in certain other cases.—(1) Where an under-raiyat of any land has, on or after the 10th August, 1957, surrendered, or been evicted from, such land and the surrender on eviction could not have taken place if this Act had been in force on the date of such surrender or eviction, the competent authority may, *suo motu* or on application made by the under-raiyat, restore him to possession of the land which he surrendered or from which he was evicted unless some other under-raiyat, not being a member of the raiyat's family, had *bona-fide* been admitted to possession of such land.

(2) The competent authority shall, before making an order under sub-section (1), make such inquiry as may be prescribed.

124. Relief against termination of tenancy for act of waste.—Where a tenancy is sought to be terminated on the ground that the under-raiyat has materially

impaired the value or utility of the land for agricultural purposes, if the damage to the land admits of being repaired or if pecuniary compensation would afford adequate relief, no proceeding for eviction shall lie against the under-raiyat unless and until the raiyat has served on the under-raiyat a notice in writing specifying the damage complained of and the under-raiyat has failed within a period of one year from the service of such notice to repair the damage or to pay compensation therefor.

125. Surrender of land by under-raiyat.—(1) After the commencement of this Act, no under-raiyat shall surrender any land held by him as such, and no raiyat shall enter upon the surrendered by the under-raiyat, without the previous permission in writing of the competent authority.

(2) Such permission shall be granted if, after making such inquiry as may be prescribed, the competent authority is satisfied that the proposed surrender is *bona fide* and in case the surrender is by a person who was holding the land as under-raiyat immediately before the commencement of this Act, the permissible limit of the raiyat concerned is not exceeded by such surrender, in other cases, the permission shall be refused.

(3) Where permission is refused in any case, and the under-raiyat gives a declaration in writing relinquishing his rights in the land, the competent authority shall, in accordance with the rules made in this behalf, lease out the land to any other person who shall acquire all the rights of the under-raiyat who relinquished his rights.

126. Transfer of ownership of land to under-raiyats.—Subject to the other provisions of this Act, the ownership of any land which is declared to be the non-resumable land of an under-raiyat under section 104 or section 120 shall stand transferred from the raiyat thereof to the raiyat with effect from the date of such declaration, and the under-raiyat shall become the owner of such land and be liable to pay land revenue therefor.

127. Compensation to raiyat.—(1) In respect of every land the ownership of which stands transferred to the under-raiyat under section 126, the raiyat shall be entitled to compensation which shall consist of the aggregate of the following amounts, that is to say,—

(a) an amount equal to thirty times the full land revenue payable for the land or, if the land is held revenue-free or at a concessional rate, thirty times the amount of land revenue payable for similar lands in the locality;

(b) the value of trees, if any, planted by the raiyat.

Explanation.—Where any improvement has been made on the land at the expense of the raiyat at any time subsequent to the last settlement the land revenue for the purpose of this section shall be the land revenue payable for similar lands in the locality.

(2) The land revenue payable for similar lands in the locality and the value of trees referred to in sub-section (1) shall be determined in the prescribed manner.

(3) Every raiyat entitled to compensation under this section shall, within a period of six months from the date of the declaration referred to in section 126, apply to the competent authority in the prescribed manner for determining the compensation.

128. Payment of compensation to raiyat.—(1) The compensation to which a raiyat is entitled under section 127 shall be paid to him by the government in the first instance, and it may be paid in cash, in lump sum or in annual instalments not exceeding twenty or in the form of bonds which may be negotiable or non-negotiable but transferable.

(2) From the date of the declaration referred to in section 126, the raiyat shall be entitled to interest at the rate of 2-1/2 per cent per annum on the compensation or such portion thereof as remains unpaid.

(3) Any mortgage of, or encumbrance on, the land of which the ownership is transferred to the under-raiyat under section 126 shall be a valid charge on the amount of compensation payable to the raiyat.

(4) Notwithstanding anything contained in sub-sections (1) to (3), where the person entitled to compensation under section 127 is a charitable or religious institution, the compensation shall, instead of being assessed under that section, be assessed as a perpetual annuity equal to the reasonable rent for the land, less the land revenue payable on such land. The amount so assessed shall be paid to such institution in the prescribed manner.

129. Under-raiyat to pay compensation amount.—(1) Every under-raiyat to whom ownership of any land has been transferred under section 126 shall be liable to pay to the Government in respect of that land compensation as determined under section 127.

(2) The compensation shall be payable in cash, in lump sum or in such number of annual instalments not exceeding twenty as may be prescribed. Interest at the rate of 2-1/2 per cent per annum shall be payable on the compensation or such portion thereof as remains unpaid.

(3) The compensation payable under this section shall be a charge on the land.

(4) The compensation or any instalment thereof shall be recoverable in the same manner as an arrear or land revenue.

130. Issue of certificate to under-raiyats.—When the compensation or the first instalment of the compensation, as the case may be, has been paid by the under-raiyat, the competent authority may *suo motu* and shall, on application made to it in this behalf, issue to the under-raiyat a certificate in the prescribed form declaring him to be the owner of the land specified therein.

131. First option to purchase.—(1) If a raiyat at any time intends to sell his land held by an under-raiyat he shall give notice in writing of his intention to such under-raiyat and offer to sell the land to him. In case the latter intends to purchase the land, he shall intimate in writing his readiness to do so within two months from the date of receipt of such notice.

(2) If there is any dispute about the reasonable price payable for the land, either the raiyat or the under-raiyat may apply in writing to the competent authority for determining the reasonable price; and the competent authority, after giving notice to the other party and to all other persons interested in the land and after making such inquiry as it thinks fit, shall fix the reasonable price of the land which shall be the average of the prices obtaining for similar lands in the locality during the ten years immediately preceding the date on which the application is made.

(3) The under-raiyat shall deposit with the competent authority the amount of the price determined under sub-section (2) within such period as may be prescribed.

(4) On deposit of the entire amount of the reasonable price, the competent authority shall issue a certificate in the prescribed form to the under-raiyat declaring him to be the purchaser of the land; the competent authority shall also direct that the reasonable price deposited shall be paid to the raiyat.

(5) If an under-raiyat does not exercise the right of purchase in response to the notice given to him by the raiyat under sub-section (1) or fails to deposit the amount of the price as required by sub-section (3), such under-raiyat shall forfeit his right of purchase, and the raiyat

shall be entitled to sell such land to any other person.

(6) The forfeiture of the right to purchase any land under this section shall not affect the other rights of the under-raiyat in such land.

132. Power to make rules.—(1) The Administrator may, by notification in the Official Gazette, make rules for carrying out the purposes of this Part.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the form of notices to be issued under this Part and the manner of their service;
- (b) the manner of holding inquiries under this Part;
- (c) the circumstances in which and the period for which land used for agricultural purposes may be left uncultivated;
- (d) the conditions subject to which lands may be leased by the Collector under section 106;
- (e) the form of applications to be made under this Part, the authorities to whom they may be made and the procedure to be followed by such authorities in disposing of the applications;
- (f) the determination of the value of the produce of land, the profits of agriculture, and the rental values of land, for the purposes of this Part;
- (g) the time manner of payment of rent by the under-raiyat;
- (h) the form of receipt for rent to be given by the raiyat;
- (i) the factors to be taken into account in determining reasonable rent for land and in commuting rent in kind into money rent;
- (j) the nature and the extent of relief to the under-raiyat in cases of suspension or remission of land revenue by the Government;
- (k) the determination of compensation for improvements to under-raiyats who are evicted from land;
- (l) the grant of permission to surrender land;
- (m) the determination of the amount of compensation payable to the raiyat in respect of the non-resumable lands of under-raiyat;
- (n) the form of certificates to be granted to under-raiyats;
- (o) the determination of the price to be paid by under-raiyat for land in respect of which the first option to purchase is exercised;
- (p) any other matter which is to be or may be prescribed.

PART IV

CHAPTER XI.—ACQUISITION OF ESTATES AND OF RIGHTS OF INTERMEDIARIES THEREIN

133. Definitions.—In this Part,—

- (a) “estate” means lands included under one entry in any of the general registers of revenue-paying and revenue-free lands and includes—
 - (i) revenue-free lands not entered in any register, and
 - (ii) a part of, or a share in an estate;
- (b) “homestead” means a dwelling house together with any courtyard, compounded, garden, or out-house and includes any out-buildings used for purposes connected with agriculture and any family graveyard, library, office, guest-house, grain store, latrines, boundary walls, tanks, wells or places of worship appertaining to such dwelling house;

(c) “intermediary” means a person who holds in an estate the right, title or interest of a talakdar and includes—

- (i) a person who holds land either revenue-free or at a concessional rate, and
- (ii) a tenure holder;

(d) “tenant” means a person who cultivates or holds the land of an intermediary under an agreement, express or implied, on condition of paying therefor rent in cash or in kind or delivering a share of the produce and includes a person who cultivates or holds land of an intermediary under the system generally known as “bhag” “adhi” or “barga” and the term “sub-tenant” shall be construed accordingly;

(e) “tenure holder” means a person who has acquired from an intermediary the right to hold lands for the purpose of collecting rents or bringing them under cultivation by establishing tenants thereon.

134. Notification vesting estates in the State.—(1) As soon as may be after the commencement of this Act, the Administrator may, by notification in the Official Gazette, declare that, with effect from the date specified in the notification (hereinafter referred to as the vesting date), all estates situated in any area or areas and all rights, title and interest of every intermediary in such estates shall vest in the Government free from all encumbrances.

(2) Every notification under section (1) shall also be published in such other manner as may be prescribed.

(3) The publication of a notification in the manner provided in sub-sections (1) and (2) shall be conclusive evidence of the notice of declaration to the intermediaries whose interests are affected by such notification.

135. Consequences of a notification under section 134.—Notwithstanding anything contained in any law for the time being in force or in any agreement or contract, express or implied with effect from the vesting date,—

- (a) each estate to which the notification relates and all rights, title and interest of intermediaries in such estate shall vest in the Government free from all encumbrances, including—
 - (i) rights in hats, bazars, feries, forests, waste-lands, *abadi* sites, fisheries, tolls and other interests;
 - (ii) rights in any building other than a dwelling house or in any part of such building; used primarily as office or *cutcherry* for collection of rent;
- (b) all grants and confirmation of title too the estate and rights therein made in favour of an intermediary shall cease and determine;
- (c) any building used for educational or charitable purposes and held by the intermediary shall vest in the Government for those educational or charitable purposes;
- (d) subject to the other provisions of this Act, every tenant holding any land under an intermediary shall hold the same directly under the Government shall hold the same directly under the Government as a raiyat thereof and shall be liable to pay to the Government land revenue equal to the rent payable by him to the intermediary on the vesting date, subject to a maximum of the value of one-eighth of the gross produce which value shall be determined in the manner prescribed;

Provided that the tenant shall become the owner of

any building or structure constructed on such land at the expense of the intermediary on payment of such compensation to the intermediary as is equivalent to its market value on the vesting date, which value shall be determined in accordance with the rules made in this behalf;

- (e) all arrears of land revenue, local rates, cesses and other dues lawfully payable to the Government by the intermediary on the vesting date in respect of the estate shall, without prejudice to any other mode of recovery, be recoverable by deduction from the compensation payable to the intermediary;
- (f) all rents and other dues in respect of the estate for any period after the vesting date which, but for this Act, would be payable to an intermediary shall be payable to the Government and any payment made in contravention of this clause shall not be valid discharge of the person liable to pay the same.
- (g) where under any agreement or contract made before the vesting date, any rent, cess, local rate or other dues for any period after the said date has been paid to or compounded or released by an intermediary; the same shall, notwithstanding such agreement or contract, be recoverable by the Government from the intermediary, and may, without prejudice to any other mode of recovery, be realised by deduction from the compensation payable to the intermediary.

136. Rights of intermediary to certain lands.—(1) Notwithstanding anything contained in sections 134 and 135, an intermediary shall, subject to the provisions of sub-section (2), be entitled to retain with effect from the vesting date,—

- (a) homesteads, buildings and structures together with the lands appurtenant thereto in the occupation of the intermediary other than buildings vested in the Government under section 135;
- (b) lands under the personal cultivation of the intermediary;
- (c) lands in which permanent rights have not already accrued to a tenant under any custom, agreement or law and which have been leased by an intermediary who, both at the commencement of the lease and on the vesting date, was a person under disability;
- (d) lands held by the intermediary as mortgagor which are subject to usufructuary mortgage and are under the personal cultivation of the mortgages;
- (e) lands comprised in orchards or used for the purpose of livestock breeding, poultry farming, or dairy farming, which are in the occupation of the intermediary;
- (f) so much of the lands comprised in a tea garden, mill, factory or workshop as in the opinion of the Administrator is required for such tea garden, mill, factory or workshop.

(2) An intermediary who is entitled to retain possession of any land under sub-section (1) shall hold such land directly under the Government from the vesting date as a raiyat thereof and be liable to pay therefor land revenue at full rate applicable to similar lands in the locality.

137. Collector to take charge of estates, etc., vested in the Government.—(1) The Collector shall take charge of estates and interests of intermediaries which vest in the Government under section 135.

(2) For the purpose aforesaid, the Collector may, by written order served in the prescribed manner, require any intermediary or other person in possession of any

such estate or interest to give up such possession by a date to be specified in the order (which shall not be earlier than sixty days from the date of service of the order) nor to deliver by that date any documents, registers or records, connected with the management of such estate or interest which are in his custody or to furnish a statement in the prescribed form in respect of such estate or interest.

(3) The Collector or any other officer authorised by him in this behalf may take such steps or use such force as may be necessary to enforce compliance with the order and may also enter any building or place for the purpose of taking possession of the documents, registers or records referred to in sub-section (2).

(4) An intermediary shall be entitled to make inspection of any documents, registers or records which have been delivered to or taken possession of by the Collector, to make notes therefrom or to have certified copies thereof granted to him. No fees shall be charged for making inspection or for making notes, but fees may be charged, according to the prescribed scale, for the grant of certified copies.

(5) Nothing in this section shall be deemed to authorise the Collector to take possession of—

- (a) any land or of any right of an intermediary therein, which may be retained by the intermediary under section 136, or
- (b) any religious institution or any building connected therewith.

138. Decision of disputes.—If there is any dispute as to the possession of any homestead or land or building referred to in sub-section (1) of section 136, the Collector shall, on application made to him in this behalf, make such inquiry as he deems fit and pass such orders thereon as may appear to him just and proper.

139. Appeal.—An appeal against an order of the Collector passed under section 138, if preferred within sixty days of such order, shall lie to the District Judge having jurisdiction.

CHAPTER XII.—ASSESSMENT AND PAYMENT OF COMPENSATION

140. Intermediaries entitled to receive compensation.—Every intermediary, whose right, title and interest in any estate vest in the Government under Chapter XI shall be entitled to receive and be paid therefor compensation as hereinafter provided.

141. Date from which compensation shall be due.—The compensation referred to in section 140 shall be due as from the vesting date and the portion remainig unpaid shall carry interest at the rate of 2-1/2 per cent per annum.

142. Every intermediary to be treated as a separate unit.—(1) For the purpose of assessing compensation under this Chapter,—

- (a) every intermediary shall be treated as a separate unit;
- (b) if two or more intermediaries hold an estate or any interest therein, jointly, the share of each intermediary in such estate or interest shall be treated as a separate unit;

Provided that where any such estate or interest is held by a Hindu joint family consisting of a common ancestor in the male line and his descendants, the family shall, if the common ancestor was alive on the vesting date, be treated as one unit;

- (c) if an intermediary holds shares or interest in two or more estates, the aggregate of his shares or

interest in all such estates shall be treated as a single unit.

(2) Notwithstanding anything to the contrary contained in any other law, no partition or transfer by way of sale or gift of an estate or part thereof made on or after the 10th August, 1957, shall be recognised for the purpose of assessing the compensation.

(3) Nothing in sub-section (2) shall apply to—

- (a) any sale made under an order of court execution of any decree or order for payment of money, or
- (b) any sale or gift made in favour of a wakf, a trust, an endowment or a society registered under the Societies Registration Act, 1960 (21 of 1860) and established wholly for charitable purposes, unless the Government in any particular case directs otherwise.

143. Appointment of compensation officers.—The Administrator shall, as soon as possible after the publication of a notification under section 134, appoint one or more officers to be compensation officers to prepare compensation assessment rolls and to perform such other duties as may be prescribed.

144. Compensation assessment roll.—(1) The compensation officer shall prepare a compensation assessment roll in respect of every estate vested in the Government under Chapter XI.

(2) The compensation assessment roll shall contain particulars of the gross income and the net income from the estate, the share of the net income of the intermediary or each of the intermediaries, the amount of compensation payable to him or them and such other particulars as may be prescribed.

(3) Where an intermediary has shares or interest in two or more estates all of which have vested in the Government, the particulars of the shares or interest of such intermediary in the net income from all such estates and the compensation payable to him in respect of his shares or interest in all such estates shall be shown in the compensation assessment roll relating to any one of such estates.

(4) Where an intermediary has shares or interest in two or more estates either or any of which has not vested in the Government, the compensation payable to the intermediary shall be determined after all such estates have vested in the Government, on the basis of the aggregate of his shares or interest in the net income from all such estates.

(5) Nothing in sub-section (4) shall be construed as authorising the postponement of payment of *ad interim* compensation to any such intermediary as is referred to in that sub-section in respect of the estate or estates which have vested in the Government.

(6) For the purpose of preparing the compensation assessment roll, the compensation officer may require an intermediary to submit such statements and furnish such particulars as may be prescribed.

145. Determination of gross income and net income.—

(1) For the purpose of assessment of compensation payable in respect of an estate,—

(a) the gross income from the estate shall be taken to consist of—

- (i) in respect of lands other than those referred to in section 136, the rents, cesses, local rates and other amounts payable or deemed to be payable to the intermediary or intermediaries

by the tenants and tenure-holders for the previous year, including the commuted value of rents payable in kind which value shall be determined in the prescribed manner;

(ii) the gross income from *abadi* sites, fisheries, hats, bazars, ferries, forests, tolls, waste lands and other interests in the estate for the previous year;

(iii) the aggregate of the annual rents for the previous year from buildings used as offices or *cutcheries* and any other building which vest in the Government;

(iv) any other income during the previous year appertaining to the estate vesting in the Government not expressly mentioned in the foregoing sub-clauses;

(b) the net income from the estate shall be computed by deducting from the gross income the following namely:—

(i) any sum which was payable by the intermediary or intermediaries during the previous year as land revenue, cesses, local rates or rent to the Government in respect of the interests to which the gross income relates;

(ii) any sum payable under the Bengal Agricultural Income-tax Act, 1944 (Bengal IV of 1944), as extended to Tripura or the Indian Income-tax Act, 1922 (11 of 1922), during the previous year as defined in those Acts, in respect of the interests to which the gross income relates;

(iii) charges on account of management and collection at the following rates, namely:—

Amount of gross income	Rate
(a) Where the gross income exceeds Rs. 30,000	15 per centum of such gross income.
(b) Where the gross income exceeds Rs. 10,000 but does not exceed Rs. 30,000	12-1/2 per centum of such gross income.
(c) Where the gross income exceeds Rs. 5,000 but does not exceed Rs. 10,000.	10 per centum of such gross income.
(d) Where the gross income exceeds Rs. 2,500 but does not exceed Rs. 5,000.	7-1/2 per centum of such gross income.
(e) Where the gross income does not exceed Rs. 2,500	5 per centum of such gross income.

Provided that the net income (after deducting the charges on account of management and collection) from an estate which falls under item (a), (b), (c) or (d) shall in no case be less than the maximum net income from an estate which falls under the item immediately following.

Illustration.—The net income after deducting the charges on account of management and collection at 12-1/2 per cent under item (b) from an estate the gross income of which is Rs. 10,100 will be Rs. 8,837.50 while the net income after deducting the charges on account of management at 10 per cent under item (c) from an estate the gross income of which is Rs. 10,000 will be Rs. 9,000; under the proviso, the net income from the first mentioned estate shall be taken to be Rs. 9,000 and not Rs. 8,837.50.

(2) The net income from the estate as determined under sub-section (1) shall be apportioned among all the intermediaries having a share or interest in the estate in the proportion of their shares or interest, and if in

doing so, any dispute involving a question of title arises, the compensation officer shall refer the parties to a civil court.

Explanation.—For the purpose of this section except clause (b) (ii) if sub-section (1), "previous year" means the year immediately preceding the year in which the vesting date falls.

146. Compensation payable to intermediary.—(1) The Compensation payable to an intermediary shall be a multiple of his net income from the estate or where the intermediary has shares or interests in two or more estates, of the aggregate of his net incomes from all such estates, in accordance with the following table, namely:—

<i>Amount of net income</i>	<i>Total compensation payable</i>
(a) Where the net income does not exceed Rs. 1,000.	Fifteen* times such net income.
(b) Where the net income exceeds Rs. 1,000 but does not exceed Rs. 2,500.	Twelve times such net income or the maximum amount under (a) above, whichever is greater.
(c) Where the net income exceeds Rs. 2,500 but does not exceed Rs. 5,000.	Eleven times such net income or the maximum amount under (b) above, whichever is greater.
(d) Where the net income exceeds Rs. 5,000 but does not exceed Rs. 7,500.	Ten times such net income or the maximum amount under (c) above, whichever is greater.
(e) Where the net income exceeds Rs. 7,500 but does not exceed Rs. 10,000.	Nine times such net income or the maximum amount under (d) above, whichever is greater.
(f) Where the net income exceeds Rs. 10,000 but does not exceed Rs. 15,000.	Eight times such net income or the maximum amount under (e) above, whichever is greater.
(g) Where the net income exceeds Rs. 15,000 but does not exceed Rs. 30,000.	Seven times such net income or the maximum amount under (f) above, whichever is greater.
(h) Where the net income exceeds Rs. 30,000 but does not exceed Rs. 50,000.	Six times such net income or the maximum amount under (g) above, whichever is greater.
(i) Where the net income exceeds Rs. 50,000 but does not exceed Rs. 1,00,000.	Five times such net income or the maximum amount under (h) above, whichever is greater.
(j) Where the net income exceeds Rs. 1,00,000 but does not exceed Rs. 3,00,000.	Three times such net income or the maximum amount under (i) above, whichever is greater.
(k) Where the net income exceeds Rs. 3,00,000.	Two times such net income or the maximum amount under (j) above, whichever is greater.

(2) Where the net income or any portion of the net income from an estate is dedicated exclusively to charitable or religious purposes, the compensation payable in respect of such net income or portion shall, instead of being assessed under sub-section (1), be assessed as a perpetual annuity equal to such net income or portion, as the case may be, payable in the prescribed manner for those purposes

Explanation.—For the purpose of this sub-section, if the salary, remuneration or any allowance payable to the Mutawalli of a wakf or the shabait of a Hindu temple or a trustee of any other charitable or religious trust does not exceed 15 per cent of the net income, then such net income shall be deemed to be dedicated exclusively to charitable or religious purposes.

147. Disposal of claims of creditors.—(1) The Administrator shall appoint a claims officer not below the rank of sub-judge to dispose of the claims of creditors whose debts are secured by a mortgage of or charge on any estate or part thereof vested in the Government under section 134 and to discharge any other duties assigned to him by this Act or the rules made thereunder.

(2) Every creditor referred to in sub-section (1) shall prefer his claim in writing before the claims officer in the manner and within the time prescribed.

(3) The claims officer shall inquire into the claims in accordance with such rules as may be prescribed and determine the amount to which each of the creditors is entitled.

(4) Where there are two or more creditors, the claims officer shall determine, in accordance with the provisions of the Transfer of Property Act, 1882, (4 of 1882) the order in, which each such creditor is entitled to receive the amount due to him.

148. Appeal against the decision of claims officer.—(1) Any person aggrieved by an order, of the claims officer may, within sixty days of the date of the order, prefer an appeal to the District Judge having jurisdiction.

(2) The decision of the District Judge on appeal, or of the claims officer where no appeal is preferred, shall be final.

149. Preliminary publication of compensation assessment roll and disposal of objections.—(1) After the amount of compensation has been determined in accordance with the provisions of section 146 and entered in the compensation assessment roll, the compensation officer shall cause a draft of such roll to be published in the prescribed manner and for the prescribed period. The compensation officer shall send copies of the relevant portions of the draft roll to the intermediaries concerned and shall receive and consider any objections which may be made within three months of the receipt of such copy to any entry therein or to any omission therefrom. The compensation officer shall dispose of such objections in the prescribed manner.

(2) Separate draft compensation assessment rolls may be prepared and published under sub-section (1) for different villages or groups of villages.

150. Contents of the order of compensation officer.—Every order of the compensation officer deciding an objection under sub-section (1) of section 149 shall contain a concise statement of the case, the points for determination, the decision thereon and the reasons for such decision.

151. Appeals against order of compensation officer.—(1) From every order passed by a compensation officer under section 150, an appeal shall lie to a Special Judge appointed for the purpose, within ninety days of the date of the order.

(2) An appeal shall lie to the court of the Judicial Commissioner from every order passed on appeal by a Special Judge under sub-section (1), within sixty days of the passing of such order, on any of the grounds specified in section 100 of the Code of Civil Procedure, 1908 (5 of 1908).

(3) The decision of the Judicial Commissioner, or of the Special Judge where no second appeal is preferred,

or of the compensation officer where no appeal to the Special Judge is preferred, shall be final.

152. Final publication of the compensation assessment roll.—(1) Where no objection or appeal has been filed or all the objections and appeals filed have been finally disposed of, the compensation officer shall cause the draft compensation assessment roll to be finally published, or make such alterations in the draft compensation assessment roll as may be necessary to give effect to any order passed on objection made under sub-section (1) of section 149 or on appeal under section 151 and cause the roll as so altered to be finally published, in the prescribed manner together with a certificate stating the fact of such final publication and the date thereof.

(2) The publication of the compensation assessment roll under sub-section (1) shall be conclusive evidence that the said roll has been duly made under this Chapter and every entry in such roll shall, save as otherwise provided in this Act, be conclusive evidence of the matters referred to in such entry.

153. Correction of bona fide mistakes.—(1) No correction of the compensation assessment roll after it has been finally published under section 152 shall be made except as provided in this section.

(2) Correction of bona fide mistakes or corrections necessitated by succession or by inheritance of any interest in the estate can be made by the compensation officer at any time before the payment of compensation, either of his own motion or on the application of the person interested, but no such correction shall be made while any legal proceeding affecting such entry is pending.

(3) Every time a correction is made under sub-section (2), the compensation officer shall cause a draft of the correction to be published in the same manner as the draft compensation assessment roll, and after considering and disposing of any objections that may be made, shall cause the correction to be finally published.

154. Ad interim payment of compensation.—After the vesting date and before the final publication the compensation assessment roll, *ad interim* payment to the outgoing intermediary may be made as follows.—

- (a) the compensation officer shall calculate the provable amount of compensation payable to him;
- (b) two and a half per cent of such probable amount shall be paid *ad interim* to each intermediary in cash every year until such time as the compensation assessment roll is finally published;
- (c) if there is any dispute as to the title of any person to receive the amount or as to the apportionment of it, the amount shall be kept in deposit in the manner prescribed until the dispute is finally determined; and on such determination, the compensation officer shall pay the amount of the portion thereof to the person or persons entitled to receive the same.

155. Mode or payment of compensation.—(1) After the compensation assessment roll has been finally published, the compensation officer shall deduct from the amount shown in such roll as payable to an intermediary or any other person having interest in the estate, the following amounts, namely:—

- (a) *ad interim* payments made under section 154;
 - (b) the amount, if any, the deduction of which has been ordered under section 135;
 - (c) the amounts payable to creditors as determined by the claims officer.
- (2) The balance remaining after the deductions referred

to in sub-section (1) are made shall be given in cash, in one lump sum or in annual instalments not exceeding twenty, or in bonds, or partly in cash and partly in bonds, in accordance with such rules as may be prescribed.

(3) The bonds referred to in sub-section (2) may be either negotiable or non-negotiable, and transferable in such circumstances and in such manner as may be prescribed and shall carry interest at the rate of two and a half per cent per annum on the amount outstanding thereon, with effect from the date of issue.

(4) If any dispute arises as to the title of any person to receive the amount or as to the apportionment of it, the compensation officer may, if he thinks fit, keep the amount of compensation or the bonds referred to above in deposit in the manner prescribed, until the dispute is finally determined; and on such determination, the compensation officer shall pay the amount or the portions thereof to the person or persons entitled to receive the same.

156. Compensation due to maintenance holder.—(1) If any person claiming as maintenance holder to be entitled to any portion of the compensation awarded to any intermediary under this Chapter applies to the compensation officer for payment of the same to him, the compensation officer may, with the consent of the intermediary, direct the payment to the applicant out of the compensation of such amount as the intermediary may have agreed to be paid to the applicant, and any such payment shall be a valid discharge of the liability of the Government in respect of the amount so paid.

(2) If the intermediary does not give consent, the compensation officer shall direct the applicant to file, within three months, a suit or other proceeding in the court having jurisdiction to establish his claim and order that the amount claimed shall not in the meantime be paid to the intermediary.

(3) The Government shall not be made a party to any suit or proceeding instituted or commenced in pursuance of any direction given under sub-section (2).

(4) If the suit or proceeding referred to in sub-section (2) is instituted or commenced within the period aforesaid, the compensation officer shall place the amount claimed at the disposal of the court before which such suit or proceeding is instituted.

(5) If the suit or proceeding is not instituted or commenced within the period of three months aforesaid, the compensation officer shall order the amount to be paid to the intermediary.

Explanation.—For the purpose of this section, a maintenance holder means a person entitled to receive maintenance under a registered deed, decree or order of court.

157. Compensation due to person incompetent to alienate.—If any intermediary entitled to receive compensation in respect of any interest is a person incompetent to alienate such interest, the compensation officer shall keep the amount of compensation payable in respect of such interest, whether in cash or in bonds, in deposit with the Collector who shall arrange to invest the cash or the income from the bonds in the purchase of such Government or other approved securities as the Collector thinks fit and shall direct the payment of the income from such investment to the intermediary who would for the time being have been entitled to hold and enjoy such interest if it had not vested in the Government; and such cash, bonds and securities shall remain so deposited until they are made over to any person or persons becoming absolutely entitled thereto:

Provided that nothing herein contained shall affect the liability of any person who may receive the whole or any part of any compensation under this section to pay the same to the person lawfully entitled thereto.

158. Inquiries to be judicial proceedings.—The Collector, the compensation officer and the claims officer, for the purposes of any inquiries or proceedings under this Part, shall have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (5 of 1908), in respect of—

- (a) enforcing the attendance of any person and examining him on oath affirmation;
- (b) compelling the production of documents; and
- (c) issuing commission for the examination of witnesses;

and such inquiries or proceedings shall be deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code (45 of 1860).

159. Penalties.—Whoever—

- (a) wilfully fails or neglects to comply with any requirements made of him under this Part, or
- (b) contravenes any lawfull order passed under this Part, or
- (c) obstructs or resists the taking by the Collector or any other officer authorised by him in writing of charge of any property which is vested in the Government under this Part, or
- (d) furnishes information which he known or believes to be false or does not believe to be true,

shall, on conviction before a Magistrate, be punishable with fine which may extend to five hundred rupees.

160. Application of Part III to persons becoming raiyats of under-raiyats under Part IV.—Where, as a result of the operation of this Part, any person acquires the right to hold land either as a raiyat or an under-raiyat, the provisions of Part III shall as far as may be, apply to the determination of such right and in such application, any reference in the said Part to the commencement of this Act shall be construed as a reference to the vesting date.

161. Powers to make rules.—(1) The Administrator may, by notification in the Official Gazette, make rules for the purpose of carrying out the purposes of this Part.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the manner of publication of a notification under section 134;
- (b) the procedure to be followed and the forms to be adopted in inquiries and proceedings under this Part;
- (c) the mode of service of any order, notice or other documents under this Part;
- (d) the form of the statements to be furnished by intermediaries;
- (e) the inspection of and making notes from documents, registers and records under section 137, the grant of certified copies thereof and the fee to be charged for such grant;
- (f) the form and the manner in which compensation assessment rolls shall be prepared and the particulars to be mentioned therein;
- (g) the manner of apportionment of net income among intermediaries;
- (h) the procedure to be followed in the case of intermediaries having shares or interest in different estates;

- (i) the manner in which the preliminary and the final publication of the compensation assessment roll shall be made;
- (j) the manner of determining the amount of annuities payable to religious and charitable institutions and the procedure for making payments;
- (k) the manner in which the income of the previous year shall be determined;
- (l) the determination of the amount of *ad interim* compensation;
- (m) the manner in which and the period within which creditors may prefer their claims before the claims officer and the procedure to be followed in the disposal of such claims;
- (n) the manner in which objections shall be submitted to the compensation officer and the procedure to be followed in the disposal of such objections;
- (o) the manner of determining the commuted value of rents under section 145;
- (p) the manner of preferring appeals under Chapter XI and XII;
- (q) the manner of keeping in deposit the amount of compensation under sections 155 and 157;
- (r) the form and contents of bonds;
- (s) the manner in which, and the circumstances under which, bonds shall be transferable; and
- (t) any other matter which is to be, or may be, prescribed.

PART V

CHAPTER XIII.—CEILING ON LAND HOLDINGS

162. Exemptions.—The provisions of this Chapter shall not apply to land owned by the Government or a local authority.

163. Definitions.—For the purposes of this Chapter,—

- (a) “ceiling limit”, in relation to land, means the limit fixed under section 164;
- (b) “family”, in relation to a person, means the person the wife or husband, as the case may be, and the dependent children and grand-children, of such person;
- (c) “land” does not include land used for non-agricultural purposes.

164. Ceilings on holdings.—No person either by himself or, if he has a family, together with any other member of his family (hereinafter referred to as the person representing the family) shall, whether as a raiyat or an under-raiyat or as a mortgagee with possession or otherwise, or partly in one capacity and partly in another, hold land in excess of twenty-five standard acres in the aggregate:

Provided that where the number of members of the family of such person exceeds five, he may hold five additional standard acres for each member in excess of five, so however as not to exceed fifty standard acres in the aggregate.

Explanation.—In the case of a company, an association or any other body of individuals, the ceiling limit shall be twenty-five standard acres.

165. Submission of returns.—Every person representing a family who at the commencement of this Act holds, or has at any time during the period between the 10th day of August, 1957 and such commencement held, land in excess of the ceiling limit shall submit to the competent authority, in such form and within such time

as may be prescribed, a return giving the particulars of all land held by him and indicating therein the parcels of land, not exceeding the ceiling limit, which he desires to retain:

Provided that in the case of a joint holding, all co-sharers may submit the return jointly indicating the parcels of land, not exceeding the aggregate of their individual ceiling limits, which they desire to retain.

Explanation.—In the case of a person under disability the return shall be furnished by his guardian or authorised agent, as the case may be.

166. Collection of information through other agency.—If any person, who under section 165 is required to submit a return, fails to do so, the competent authority may collect the necessary information through such agency as may be prescribed.

167. Procedure for determination of excess land.—(1) On receipt of any return under section 165 or information under section 166 or otherwise, the competent authority shall, after giving the persons affected an opportunity of being heard, hold an inquiry in such manner as may be prescribed, and having regard to the provisions of section 168 and section 169 or of any rules that may be made in this behalf, it shall determine—

- (a) the total area of land held by each person representing the family;
- (b) the specific parcels of land which he may retain;
- (c) the land held by him in excess of the ceiling limit;
- (d) whether such excess land is held by him as a raiyat or as an under-raiyat or as a mortgagee with possession;
- (e) the excess land in respect of which the under-raiyat or the mortgagee with possession may acquire the rights of the raiyat or the mortgagor, as the case may be;
- (f) the excess land which may be restored to a raiyat or a mortgagor;
- (g) the excess land which shall vest in the Government; and
- (h) such other matters as may be prescribed.

(2) For the purposes of determining the excess land under this section, any land transferred at any time during the period between the 10th day of August, 1957 and the commencement of this Act shall, notwithstanding such transfer, be deemed to be held by the transferor.

(3) The competent authority shall prepare a list in the prescribed form containing the particulars determined by him under sub-section (1) and shall cause every such list to be published in the Official Gazette and also in such other manner as may be prescribed.

168. Selection of excess land in cases of certain transfers.—(1) Where any person holding land in excess of the ceiling limit at any time during the period between the 10th day of August, 1957 and the 2nd day of December, 1959, has transferred during such period any part of his land to any other person under a registered deed for valuable consideration, the excess land to be determined under section 167 shall, to the extent possible, be selected out of the land held at the commencement of this Act by the transferor in excess of a family holding and no land shall be selected out of the land transferred.

(2) Where any person holding land in excess of the ceiling limit at any time—

- (a) during the period between the 10th day of August, 1957 and the 2nd day of December, 1959, has transferred during such period any part of his

land to any other person in any manner other than under a registered deed for valuable consideration, or

- (b) during the period between the 2nd day of December, 1959 and the commencement of this Act has transferred during such period any part of his land to any other person in any manner whatsoever,

the excess land to be determined under section 167 shall be selected out of the lands held at the commencement of this Act by the transferor and the transferee in the same proportion as the land held by the transferor bears to the land transferred and where no land is held by the transferor, out of the land transferred.

(3) Where excess land is to be selected out of the lands of more than one transferee, such land shall be selected out of the lands held by each of the transferees in the same proportion as the area of the land transferred to him bears to the total area of the lands transferred to all the transferees.

(4) Where any excess land is selected out of the land transferred, the transfer of such land shall be void.

(5) Notwithstanding anything hereinbefore contained, the excess land to be selected shall in no case include the homestead land of a person.

Explanation.—For the purposes of this sub-section, "homestead land" or let out on which the homestead (whether used by the owner or let out on rent) stands together with any courtyard, compound and attached garden, not exceeding one acre in the aggregate.

169. Excess land to vest in Government.—(1) Where any excess land of a raiyat is in his actual possession, the excess land shall vest in the Government.

(2) Where any excess land of a raiyat is in the possession of a person holding the same as an under-raiyat or as a mortgagee and the excess land together with any other land held by such person exceeds his ceiling limit, the land in excess of the ceiling limit shall vest in the Government.

(3) Where any excess land of a raiyat is in the possession of a person holding the same as an under-raiyat or as a mortgagee and such person is allowed to retain the excess land or a part thereof as being within his ceiling limit, that person shall acquire the rights of the raiyat or of the mortgagor, as the case may be, in respect of such excess land or part thereof on payment of compensation, if any, as hereinafter provided, but if that person refuses to pay such compensation the excess land or part thereof shall vest in the Government.

(4) Where there is any excess land of an under-raiyat or of a mortgagee with possession, the excess land shall vest in the Government:

Provided that in any case where the excess land or any part thereof held by the raiyat or the mortgagor together with any other land held by such person does not exceed the ceiling limit, the excess land or such part thereof as does not exceed the ceiling limit shall be restored to the possession of that person on an application made by him in this behalf to the competent authority within such time as may be prescribed and in the case where the possession of such land is restored to the mortgagor, the mortgage in respect of such land shall be deemed to be a simple mortgage.

170. Publication of the final list and consequences thereof.—(1) Any person aggrieved by an entry in the list published under sub-section (3) of section 167 may, within thirty days from the date of publication thereof in the Official Gazette, file objections thereto before the Collector.

(2) The Collector or any other officer authorised in this behalf by the Administrator may, after considering the objections and after giving the objector or his representatives an opportunity of being heard in the matter, approve or modify the list.

(3) The list as approved or modified under sub-section (2) shall then be published in the Official Gazette and also in such other manner as may be prescribed and subject to the provisions of this Act, the list shall be final.

(4) With effect from the date of the publication of the list in the Official Gazette under sub-section (3),—

(a) the excess land shall stand transferred to and vest in the Government free of all encumbrances; or

(b) the possession of the excess land shall stand restored to the raiyat or the mortgagor, as the case may be; or

(c) the rights of the raiyat or the mortgagor in respect of the excess land shall stand transferred to the under-raiyat or the mortgagee, as the case may be.

171. Compensation.—(1) Where any excess land of a raiyat vests in the Government there shall be paid by the Government to the raiyat compensation, subject to the provisions of sub-section (3), of an amount equal to twenty times the net annual income from such land.

Explanation.—For the purposes of sub-section (1), the net annual income from any land shall be deemed to be one-fifth of the value of the average yearly gross produce of the land, calculated in such manner as may be prescribed.

(2) Where such excess land or any part thereof is in the possession of an under-raiyat, the compensation payable under sub-section (1) in respect of the land shall be apportioned between the raiyat and the under-raiyat in such proportion as may be determined by the competent authority in the prescribed manner, having regard to their respective shares in the net income from such land.

(3) In addition to the compensation payable in respect of any excess land under sub-section (1), there shall also be paid compensation in respect of any structure or building constructed on such land and any trees planted thereon and such compensation shall be determined by the competent authority in the prescribed manner, having regard to the market value of such structure or building or the value of such trees, and such compensation shall be paid to the person who has constructed the structure or building or planted the trees.

(4) Where any excess land in respect of which compensation is payable is subject to any mortgage or other encumbrance, the amount due under the mortgage or other encumbrance in respect of such excess land, or where a transfer in respect of any excess land is void by virtue of sub-section (4) of section 161, the consideration money paid by the transferee in respect of such excess land shall be a charge on the compensation payable in respect of the excess land to the person who has created the mortgage or encumbrance or, as the case may be, to the transferor.

(5) Where an under-raiyat acquires the rights of a raiyat in respect of any excess land, the compensation payable by him in respect of that land shall be equal to the amount which the raiyat would have been paid as compensation under sub-section (2) or sub-section (3) if the land had vested in the Government; and the amount shall, in the first instance, be paid to the raiyat by the Government and shall be recovered from the under-raiyat in such manner as may be prescribed.

(6) Where a mortgagee in possession acquires the rights

of the mortgagor in respect of any excess land under sub-section (3) of section 169, the compensation payable by the mortgagee in respect of that land shall be such sum of money, if any, as may be due to the mortgagor after setting off the mortgage debt against the market value of such excess land.

(7) Where any excess land of a religious or charitable institution vests in the Government, such institution shall, in lieu of compensation payable under sub-section (1) or sub-section (2), or sub-section (3), be paid an annuity equal to the net annual income of the excess land and such net annual income shall be determined by the competent authority in the prescribed manner.

(8) The competent authority shall, after holding an inquiry in the prescribed manner, make an order determining the amount of compensation payable to any person under this section.

172. Manner of payment of compensation.—(1) The compensation payable under section 171 shall be due from the date of the publication of the list under sub-section (3) of section 170 and may be paid in cash, in a lump sum or in instalments, or in bonds.

(2) Where the compensation is payable in bonds, the bonds may be made not transferable or transferable by endorsement or in any other manner but all such bonds shall be redeemed within such period, not exceeding twenty years from the date of issue, as may be prescribed.

(3) Where there is any delay in the payment of compensation or where the compensation is paid either in instalments or in bonds, it shall carry interest at the rate of two and a half per cent per annum from the date on which it falls due.

173. Limits of future acquisition of land.—No person representing a family shall acquire in any manner whatsoever, whether by transfer, exchange, lease, agreement or succession, any land where such acquisition has the effect of making the total area of the land held by him exceed the ceiling limit; and any such land in excess of the ceiling limit shall be treated as excess land of the transferee and the provisions of sections 167 to 172 shall, as far as may be, apply to such excess land.

174. Excess land not to be surrendered in certain cases.—Where a person representing a family holds land not exceeding the ceiling limit, but subsequently the land held exceeds the ceiling limit, then, notwithstanding anything contained in this Chapter, such person shall not be required to surrender any part of the land on the ground that it is excess land, if such excess is due to any improvements effected in the land by the efforts of the family or to a decrease in the number of its members.

175. Power of collector to take possession of excess land.—After the publication of the list of excess land under sub-section (3) of section 170, and after demarcation in the prescribed manner of such land where necessary, the Collector may take possession of any excess land and may use or cause such force as may be necessary for the purpose.

176. Offences and penalties.—(1) Whoever being bound to submit a return under section 165 fails to do so, without reasonable cause, within the prescribed time, or submits a return which he knows or has reason to believe to be false, shall be punishable with fine which may extend to one thousand rupees.

(2) Whoever contravenes any lawful order made under this Chapter or otherwise obstructs any person from lawfully taking possession of any land shall be punishable

with fine which may extend to one thousand rupees.

177. Finality of orders.—Subject to the provisions of this Act, every order made under this Chapter shall be final.

178. Power to exempt, etc.—(1) The Administrator may, on an application made to him in this behalf within three months from the commencement of this Act, exempt from the operation of section 164—

(a) any land which is being used for growing tea, coffee or rubber including lands used or required for use for purposes ancillary to, or for the extension of, the cultivation of tea, coffee or rubber to be determined in the prescribed manner; ■

(b) any sugarcane farm operated by a sugar factory;

(c) any specialised farm which is being used for cattle breeding, dairy or wool raising;

(d) any person who holds a compact block of land exceeding the ceiling limit which—

(i) is being used as an orchard from before the 1st January, 1958; or

(ii) is being used as a farm in which heavy investment or permanent structural improvements have been made and which, in the opinion of the Administrator, is being so efficiently managed that its break up is likely to bring a fall in production:

Provided that where such person holds the compact block of land together with any other land, he shall be permitted to elect to retain either the compact block of land, notwithstanding that it exceeds the ceiling limit or the other land not exceeding the ceiling limit;

(e) any land which is being held by a co-operative society, provided that where a member of any such society holds a share in such land, his share shall be taken into account in determining his ceiling limit:

Provided that the Administrator may entertain the application after the expiry of the said period of three months, if he is satisfied that the applicant was prevented by sufficient cause from making the application in time.

(2) Where any land in respect of which exemption has been granted to a person under clause (d) of sub-section (1) is transferred to another person, the Administrator may, on an application made to him within three months from the date of transfer, exempt the transferee from the operation of section 164 and section 173 and the provisions of the said clause shall, as far as may apply to the grant of such exemption.

(3) Where the Administrator is of opinion that the use of land for any specified purpose is expedient or necessary in the public interest, he may, by notification in the Official Gazette, make a declaration to that effect and on the issue of such notification, any person may, notwithstanding anything contained in section 173, acquired land in excess of the ceiling limit for being used for such specified purpose and such person shall, within one month from the date of such acquisition, send intimation thereof to the competent authority.

(4) Where any land, in respect of which exemption has been granted under sub-section (1) or sub-section (2) or sub-section (3), ceases to be used, or is not within the prescribed time used, for the purpose for which exemption had been granted, the Administrator may, after giving the persons affected an opportunity of being heard, withdraw such exemption.

CHAPTER XVI.—PREVENTION OF FRAGMENTATION

179. Definitions.—For the purposes of this Chapter,—

(a) "holding" means the aggregate area of land held by a person as a raiyat;

(b) "fragment" means a holding of less than two standard acres in area;

(c) "land" has the same meaning as in Chapter XIII.

180. Restrictions on transfer etc.—(1) No portion of a holding shall be transferred by way of sale, exchange, gift, bequest or mortgage with possession, so as to create a fragment:

Provided that the provisions of this sub-section shall not apply to a gift made in favour of the *Bhoodan* movement initiated by Acharya Vinoba Bhave.

(2) No portion of a holding shall be transferred by way of lease, where as a result of such lease,—

(i) the lessor shall be left with less than two standard acres, or

(ii) the total area held by the lessee exceeds the limit of a family holding.

(3) No fragment shall be transferred to a person who does not have some land under personal cultivation or to a person who holds, or by reason of such transfer shall hold, land in excess of the limit of a family holding.

181. Partition of holding.—(1) No holding shall be partitioned in such manner as to create a fragment.

(2) A fragment shall not be partitioned unless as a result of such partition its portions get merged in holdings of two standard acres or more or in fragments so as to create holdings of two standard acres or more.

(3) Whenever, in a suit for partition, the court finds that the partition of a holding will result in the creation of a fragment, the court shall, instead of proceeding to divide the holding, direct the sale of the same and distribute the proceeds thereof among the co-sharers.

(4) Wherever a holding is put up for sale under sub-section (3), a co-sharer shall have the first option to purchase the holding at the highest bid; if there are two or more co-sharers claiming the first option, that co-sharer who offers the highest consideration shall be preferred.

182. Transfers in contravention of this Chapter.—(1) Any transfer, partition or lease of land made in contravention of the provisions of this Chapter shall be void.

(2) No document of transfer, partition or lease of land shall be registered unless declarations in writing are made in such form and manner as may be prescribed, by the parties thereto the before competent registering authority under the Indian Registration Act, 1908, (16 of 1908) regarding lands held by each prior to the transaction and the land which each shall come to hold thereafter.

(3) No registering authority shall register under the Indian Registration Act, 1908, (16 of 1908) any document of transfer, partition or lease of land if, from the declaration made under sub-section (2), it appears that the transaction has been effected in contravention of the provisions of this Chapter.

183. Penalty.—The parties to any transfer, partition or lease made or entered into in contravention of any of the provisions of this Chapter shall be punishable with fine which may extend to one hundred rupees.

184. Power to make rules.—(1) The Administrator may, by notification in the Official Gazette, make rules to carry out the purposes of this Part.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may be provided for all or any of the following matters, namely:—

- (a) the form in which, and the period within which, a return under section 165 may be submitted;
- (b) the agency through which information may be collected under section 166;
- (c) the manner of holding enquiries under this Part;
- (d) the matters which may be determined under sub-section (1) of section 167 and the manner of determination of excess lands under this Part;
- (e) the form in which a list under sub-section (3) of section 167 or sub-section (3) of section 170 may be prepared and the manner of publication of such list;
- (f) the period within which an application for restoration of excess land may be made under the proviso to sub-section (4) of section 169;
- (g) the manner of apportionment of compensation between the raiyat and the under-raiyat under sub-section (2) of section 171;
- (h) the manner of assessment of the market value of any structure or building or trees under sub-section (3) of section 171;
- (i) the manner of recovery of the compensation payable by the under-raiyat under sub-section (5) of section 171;
- (j) the manner of determining under sub-section (6) of section 171 the market value of any excess land in respect of which a mortgagee in possession acquires the rights of the mortgagor;
- (k) the manner of determination of the net annual income of any excess land for the purpose of payment of compensation under section 171;
- (l) the manner of payment of compensation, including the number of instalments in which the compensation may be paid or recovered and the period which bonds may be redeemed;
- (m) the manner of demarcation of any excess land under section 175;
- (n) the matters which may be determined by the Administrator in granting an exemption under section 178 including the form in which applications and intimations may be made or given, under section 178;
- (o) the form of declaration under section 182;
- (p) any other matter which has to be, or may be, prescribed.

PART VI

CHAPTER XV.—GENERAL AND MISCELLANEOUS

185. Recovery of amounts due as arrears of land revenue.—Without prejudice to any other provision of this Act, any amount due to the Government, whether by way or costs, penalty or otherwise, and any other amount which is ordered to be paid to or recovered by the Government, under this Act shall be recoverable in the same manner as an arrear of land revenue.

186. Protection against eviction or surrender in certain cases.—(1) After the commencement of this Act and before the vesting date referred to in sub-section (1) of

section 134,—

- (a) the provisions of sections 111 to 117 shall, so far as may be, apply to tenants and sub-tenants as defined in clause (d) of section 133;
 - (b) no such tenant or sub-tenant shall surrender any land held by him as such and no person shall enter upon any such land unless such surrender is *bonafide* and is made with the previous permission in writing of the competent authority, and the provisions of sub-section (3) of section 125 shall apply to any case where such permission is refused;
 - (c) no such tenant or sub-tenant shall, whether in execution of a decree or order of court or otherwise, be evicted from any such land on any ground other than those specified in clauses (c) and (d) of sub-section (1) of section 118, and any proceeding for eviction of such tenant or sub-tenant on any ground other than those specified in the said clauses (c) and (d) pending at such commencement shall abate without prejudice to any action that may be taken under the provisions of this Act.
- (2) Where, on or after the 10th day of August, 1957 and before the commencement of this Act, any such tenant or sub-tenant has surrendered any land held by him as such or been evicted from such land and the surrender or eviction could not have taken place if this if this Act had been in force on the date of such surrender or eviction, the competent authority may, either on his own motion or on application made by the tenant or sub-tenant in this behalf, restore him to possession of the land which has been surrendered or from which he has been evicted

187. Special provision regarding Scheduled Tribes.—No transfer of land by a person who is a member of the Scheduled Tribes shall be valid unless—

- (a) the transfer is to another member of the Scheduled Tribes; or
- (b) where the transfer is to a person who is not a member of any such tribe, it is made with the previous permission in writing of the Collector; or
- (c) the transfer is by way of mortgage to a co-operative society.

188. Jurisdiction of civil courts excluded.—No suit or other proceeding shall, unless otherwise expressly provided in this Act, lie or be instituted in any civil court with respect to any matter arising under and provided for by this Act:

Provided that if in a dispute between parties a question of title is involved, a civil suit may be brought for the adjudication of such question.

189. Act to over-ride contracts and other laws.—Save as otherwise provided, the provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law, custom or usage or agreement or decree or order of court.

190. Court fees.—Notwithstanding anything contained in the Court-fees Act, 1870 (7 of 1870), every application, appeal or other proceeding under this Act shall bear a court-fee stamp of such value as may be prescribed.

191. Village officers to be public servants.—Every village accountant and every other village officer appointed under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

192. Power to exempt.—With the previous approval of the Government, the Administrator may, by notification in the Official Gazette, exempt any class of lands from all or any of the provisions of his Act.

193. General provision as to penalties.—Whoever contravenes any provision of this Act for which no penalty has been otherwise provided for therein shall be punishable with fine which may extend to five hundred rupees.

194. Protection of action taken in good faith.—No suit, prosecution or other proceedings shall lie—

- (a) against any officer of the Government for anything in good faith done or intended to be done under this Act;
- (b) against the Government for any damage caused or likely to be caused or any injury suffered or likely to be suffered by anything in good faith done or intended to be done under this Act.

195. Delegation of powers.—The Administrator may, by notification in the Official Gazette delegate to any officer or authority subordinate to him any of the powers conferred on him or on any officer subordinate to him by this Act, other than the power to make rules, to be exercised subject to such restrictions and conditions as may be specified in the said notification.

196. Power to remove difficulties.—If any difficulty arises in giving effect to any provision of this Act, the Government may, as occasion requires, take any action not inconsistent with the provisions of this Act which may appear to it necessary for the purpose of removing the difficulty.

197. General power to make rules.—Without prejudice to any power to make rules contained elsewhere in this Act, the Administrator may, by notification in the Official Gazette, make rules generally to carry out the purposes of this Act.

198. Laying of rules before Parliament.—Every rule made under this Act shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

199. Repeal and savings.—(1) On and from the date on which any of the provisions of this Act are brought into force in any area in the Union territory of Tripura, the enactments specified in the Schedule or so much thereof as relate to the matters covered by the provisions so brought into force shall stand repealed in such area.

(2) The repeal of any enactment or part thereof by sub-section (1) shall not affect,—

- (a) the previous operation of such enactment or any thing duly done or suffered thereunder;
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under such enactment;

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against such enactment;

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted or enforced and any such penalty, forfeiture or punishment may be imposed as if such enactment or part thereof had not been repealed.

(3) Subject to the provisions contained in sub-section (2), any appointment, rule order, notification or proclamation made or issued, any lease, rent, right or liability granted, fixed, acquired or incurred and any other thing done or action taken under any of the enactments or parts thereof repealed under sub-section (1) shall, in so far as it is not inconsistent with the provision of this Act brought into force be deemed to have been made, issued, granted, fixed, acquired, incurred, done or taken under this Act and shall continue to be in force until superseded by anything done or any action taken under this Act.

(4) Any custom or usage prevailing at the time any of the provisions of this Act are brought into force in any area in the Union territory of Tripura and having the force of law therein shall, if such custom or usage is repugnant to or inconsistent with such provision, cease to be operative to the extent of such repugnancy or inconsistency.

THR SCHEDULE

[See section 199 (1)]

(1) Praja Bhumyadhikari Sambaandho a Bishyak (EK Ain, 1236 Tripurabda).

(2) 1296 Tripurabder Praja Bhumyadhikari Ain Sansudhan Bishyak 1337 Tripurabder EK Ain, and

1296 Tripurabder Praja Bhumyadhukari Ain Sansudhan Bishyak 1335 Tripurabder EK Ain.

(3) Rajdhani Agartala Sahir Bondobasta Sambandhiya Bidhan, 1346 T.E.

(4) Jarip-o-Bondobasta Sambandhiya Niyamabali, 1309 Tripurabda.

(5) Tripura Rajyer Jarip Bondobasta Sambandhiya Niyamabali Sansudhan Bishyak, 1336 Tripurabder Tin Ain.

(6) Jarip-o- Bondobasta Sambandhiya Niyamabali (Prathem Khanda).

(7) Jarip-o- Bondobasta Sambandhiya Niyamabali (Dwitiya Khanda), 1323 T.E.

(8) 1290 Saner EK Ain Orthat Rajaswa Samabandhiya Niyamabali, and

1323 Tripurabder Dui Ain Orthat Rajaswa Sambandhiya 1290 Saner EK Ain Sansudhan Bishyak Bidhi.

(9) Sarkari Prapya Aday Sambandhiya 1326 Tripura Char Ain, and

Sarkari Prapya Aday Sambandhiya 1326 Tripura Char Ain Sansudhan Bishyak Ain Athaba 1358 Tring Saner 18 Nang Ain.

LAW DEPARTMENT

NOTIFICATION

Simla-4, the 19th May, 1960

No. 1-7/60-LR.—The following Acts recently passed by the Parliament of India and already published in the Gazette of India Extraordinary part II, section I, dated 11th and 25th April, 1960 respectively are hereby re-published in the Himachal Pradesh Administration Raj-patara for the information of general public.

1. The Bombay Re-organisation Act, 1960 (No. 11 of 1960).
2. The Orphanages and other Charitable homes (Supervision and Control Act, 1960 (No. 10 of 1960).

K. R. TANDON,
Under Secretary. (Judicial)

Received assent on 25-4-1960

THE BOMBAY REORGANISATION ACT, 1960
(11 OF 1960)

AN

ACT

to provide for the reorganisation of the State of Bombay and for matters connected therewith.

BE it enacted by Parliament in the Eleventh Year of the Re-public of India as follows:—

PART I
PRELIMINARY

1. *Short title.*—This Act may be called the Bombay Re-organisation Act, 1960.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) "appointed day" means the 1st day of May, 1960;
- (b) "article" means an article of the Constitution;
- (c) "assembly constituency", "council constituency" and "parliamentary constituency" have the same meanings as in the Representation of the People Act, 1950 (43 of 1950).
- (d) "law" includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having, immediately before the appointed day, the force of law in the whole or in any part of the State of Bombay;
- (e) "notified order" means an order published in the Official Gazette;
- (f) "population ratio", in relation to the States of Maharashtra and Gujarat, means the ratio of 66.31 to 33.69;
- (g) "sitting member", in relation to either House of Parliament or of the Legislature of the State of Bombay, means a person who, immediately before the appointed day, is a member of that House;
- (h) "transferred territory" means the territories which, as from the appointed day, are the territories of the State of Gujarat;
- (i) "treasury" includes a sub-treasury;
- (j) any reference to a district, taluka, village or other territorial division of the State of Bombay shall be construed as a reference to the area comprised within that territorial division as recognised for land revenue purposes on the 1st day of December, 1959.

PART II

REORGANISATION OF BOMBAY STATE

3. *Formation of Gujarat State.*—(1) As from the

appointed day, there shall be formed a new State to be known as the State of Gujarat comprising the following territories of the State of Bombay, namely:—

- (a) Banaskantha, Mehsana, Sabarkantha, Ahmedabad, Kaira, Panch-mahals, Baroda, Broach, Surat, Dangs, Amreli, Surendranagar, Rajkot, Jamnagar, Junagadh, Bhavnagar and Kutch districts; and
- (b) the villages in Umbergaon taluka of Thana district the villages in Nawapur and Nandurbar talukas of West Khandesh district and the villages in Akkalkuwa and Taloda talukas of West Khandesh district, respectively specified in Parts I, II and III of the First Schedule;

and thereupon, the said territories shall cease to form part of the State of Bombay, and the residuary State of Bombay shall be known as the State of Maharashtra.

(2) The villages in Umbergaon taluka specified in Part I of the First Schedule shall form a separate taluka of the same name and be included in Surat district, and the remaining villages in the said taluka shall be included in, and form part of, Dahanu taluka of Thana district; and the villages specified in Parts II and III of the First Schedule shall respectively be included in, and form part of Songadh taluka of Surat district and Sagbara taluka of Broach district.

4. *Amendment of the First Schedule to the Constitution.*—As from the appointed day, in the First Schedule to the Constitution, under the heading "1. THE STATES",

(a) for entry 4, the following entry shall be substituted, namely:—

"4. Gujarat The territories referred to in sub-section (1) of section 3 of the Bombay Reorganisation Act, 1960."

(b) after entry 7, the following entry shall be inserted, namely:—

"8. Maharashtra The territories specified in sub-section (1) of section 8 of the States Reorganisation Act, 1956, but excluding the territories referred to in sub-section (1) of section 3 of the Bombay Reorganisation Act, 1960."; and

(e) entries 8 to 14 shall be renumbered as entries 9 to 15 respectively.

5. *Saving powers of State Government.*—Nothing in the foregoing provisions of this Part shall be deemed to affect the power of the State Government to alter, after the appointed day, the name, extent or boundaries of any district, taluka or village in the State.

PART III

REPRESENTATION IN THE LEGISLATURES

THE COUNCIL OF STATES

6. *Amendment of the Fourth Schedule to the Constitution.*—As from the appointed day, there shall be allotted 19 seats to the State of Maharashtra, and 11 seats to the State of Gujarat, in the Council of States, and in the Fourth Schedule to the Constitution, in the Table,—

(a) for entry 4, the following entry shall be substituted, namely:—

"4. Gujarat .. 11";

(b) after entry 7, the following entry shall be inserted, namely:—

"8. Maharashtra .. 19";

(c) entries 8 to 18 shall be renumbered as entries 9 to 19 respectively; and

(d) for the figures "221" the figures "224" shall be substituted.

7. Allocation of sitting members.—(1) The twelve sitting members of the Council of States representing the State of Bombay, whose names are specified in Part I of the Second Schedule, and such six of the nine sitting members elected to represent that State at the biennial elections held for the purpose of filling the vacancies existing on the 3rd day of April, 1960, as the Chairman of the Council of States shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill eighteen of the nineteen seats allotted to the State of Maharashtra.

(2) The five sitting members of the Council of States representing the State of Bombay, whose names are specified in Part II of the Second Schedule, and the remaining three of the nine members elected at the said biennial elections shall, as from the appointed day, be deemed to have been duly elected to fill eight of the eleven seats allotted to the State of Gujarat.

8. Bye-elections to fill vacancies.—As soon as may be after the appointed day, bye-elections shall be held to fill the additional seats allotted to the States of Maharashtra and Gujarat as well as the existing casual vacancy in the seats allotted to the State of Gujarat.

9. Term of office.—(1) The term of office of the sitting members and of the member chosen to fill the casual vacancy shall remain unaltered.

(2) The term of office of the member elected to fill the one additional seat allotted to the State of Maharashtra shall expire on the 2nd day of April, 1966.

(3) Out of the two members elected to fill the two additional seats allotted to the State of Gujarat, the term of office of that member who, at the counting of votes, is last declared elected, or if an equality of votes is found to exist, the term of office of such one of them as the returning officer shall decide by lot, shall expire on the 2nd day of April, 1964 and the term of office of the other member shall expire on the 2nd day of April, 1966.

THE HOUSE OF THE PEOPLE

10. Representation in the House of the People.—As from the appointed day, there shall be allotted 44 seats to the State of Maharashtra, and 22 seats to the State of Gujarat, in the House of the People, and in the First Schedule to the Representation of the People Act, 1950 (43 of 1950)—

(a) for entry 4, the following entry shall be substituted, namely:—

“4. Gujarat .. 22”;

(b) after entry 7 the following entry shall be inserted, namely:—

“8. Maharashtra .. “44”;

(c) entries 8 to 22 shall be renumbered as entries 9 to 23 respectively.

11. Delimitation of Parliamentary Constituencies.—As from the appointed day, the First Schedule to the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, shall stand amended as directed in the Third Schedule to this Act.

12. Provision as to sitting members.—Every sitting member of the House of the People representing a constituency which, on the appointed day, by virtue of the provisions of section 11, stands allotted, with or

without alteration of boundaries, to the State of Maharashtra or to the State of Gujarat, shall be deemed to have been elected to the House of the People by the Constituency as so allotted.

THE LEGISLATIVE ASSEMBLIES

13. Strength of Legislative Assemblies.—As from the appointed day, the total number of seats to be filled by persons chosen by direct election in the Legislative Assemblies of Maharashtra and Gujarat shall be 264 and 132 respectively, and in the Second Schedule to the Representation of the People Act, 1950 (43 of 1950)—

(a) for entry 4, the following entry shall be substituted, namely:—

“4. Gujarat .. “132”;

(b) after entry 7, the following entry shall be inserted, namely:—

“8. Maharashtra .. 264”;

(c) entries 8 to 13 shall be renumbered as entries 9 to 14 respectively.

14. Delimitation of assembly constituencies.—As from the appointed day, the Second Schedule to the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, shall stand amended as directed in the Fourth Schedule to this Act.

15. Allocation of members.—(1) Every sitting member of the Legislative Assembly of Bombay representing a constituency which on the appointed day by virtue of the provisions of section 14 stands transferred, whether with or without alteration of boundaries, to the State of Gujarat shall, as from that day, cease to be a member of the Legislative Assembly of Bombay and shall be deemed to have been elected to the Legislative Assembly of Gujarat by that constituency as so transferred.

(2) All other sitting members of the Legislative Assembly of Bombay shall become members of the Legislative Assembly of Maharashtra and any such sitting member representing a constituency the extent of or the name and extent of which are altered by virtue of the provisions of section 14 shall be deemed to have been elected to the Legislative Assembly of Maharashtra by that constituency as so altered.

(3) The sitting member of the Legislative Assembly of Bombay nominated to that Assembly under article 333 to represent the Anglo-Indian community shall be deemed to have been nominated to represent the said community in the Legislative Assembly of Maharashtra under that article.

16. Duration of Legislative Assemblies.—The period of five years referred to in clause (1) of article 172 of the Constitution shall, in the case of the Legislative Assembly of Maharashtra or Gujarat, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of Bombay.

17. *Speakers and Deputy Speakers.*—(1) The persons who immediately before the appointed day are the Speaker and Deputy Speaker of the Legislative Assembly of Bombay shall be the Speaker and Deputy Speaker respectively of the Legislative Assembly of Maharashtra.

(2) As soon as may be after the appointed day, the Legislative Assembly of Gujarat shall choose two members of that Assembly to be respectively Speaker and Deputy Speaker thereof and until they are so chosen, the duties of the office of Speaker shall be performed by such member of the Assembly as the Governor may appoint for the purpose.

18. *Rules of procedure.*—The rules as to procedure and conduct of business in force immediately before the appointed day with respect to the Legislative Assembly of Bombay shall, until rules are made under clause (1) of article 208, have effect in relation to the Legislative Assembly of Maharashtra or of Gujarat, subject to such modifications and adaptations as may be made therein by the Speaker thereof.

19. *Special provisions in relation to Gujarat Legislative Assembly.*—(1) The total number of seats in the Legislative Assembly of Gujarat to be filled by persons chosen by direct election on the expiration of the duration of that Assembly under section 16 or on its dissolution shall be increased from 132 to 154; and accordingly, as from the date of such expiration or dissolution in the Second Schedule to the Representation of the People Act, 1950, (43 of 1950), in entry for the figures "132", the figures "154" shall be substituted.

(2) For the purpose of giving effect to the provisions of sub-section (1), the Election Commission shall determine in the manner hereinafter provided—

(a) the number of seats to be reserved for the scheduled castes and the scheduled tribes of the State in the Legislative Assembly, having regard to the relevant provisions of the Constitution;

(b) the assembly constituencies into which the State shall be divided, the extent of, and the number of seats to be allotted to, each such constituency, and the number of seats, if any, to be reserved for the scheduled castes or the scheduled tribes of the State in each such constituency; and

(c) the adjustments in the boundaries and description of the extent of the parliamentary constituencies in the State that may be necessary or expedient.

(3) In determining the matters referred to in clauses (b) and (c) of sub-section (2), the Election Commission shall have regard to the provisions contained in clauses (a) to (e) of sub-section (2) of section 8 of the Delimitation Commission Act, 1952; (81 of 1952).

(4) For the purpose of assisting the Election Commission in the performance of its functions under sub-section (2), the Commission shall associate with itself such five persons as the Central Government shall by order specify, being persons who are members either of the Legislative Assembly of the State or of the House of the People representing the State:

Provided that none of the said associate members shall have a right to vote or to sign any decision of the Election Commission.

(5) The Election Commission shall—

(a) publish its proposals in regard to matters mentioned in sub-section (2) in the Official Gazette

of the State together with a notice specifying the date on or after which the proposals will be further considered by it;

(b) consider all objections and suggestions which may have been received by it before the date so specified, and for the purpose of such consideration, hold one or more public sittings at such place or places as it thinks fits;

(c) make an order revising to such extent as may be necessary or expedient the Schedules to the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, in so far as they relate to the State; and

(d) send authenticated copies of the order to the Central Government and the State Government.

(6) As soon as may be after the said order is received by the Central Government or the State Government, it shall be laid before the House of the People or, as the case may be, the Legislative Assembly of the State.

(7) An order made by the Election Commission under this section shall have the full force of law and shall not be called in question in any court.

The Legislative Council

20. *Amendment of article 168 of the Constitution.*—As from the appointed day, in article 168 of the Constitution, in sub-clause (a) of clause (1), the word "Bombay" shall be omitted, and after the word "Madras", the word "Maharashtra" shall be inserted.

21. *Legislative Council of Maharashtra.*—As from the appointed day, there shall be 78 seats in the Legislative Council of Maharashtra, and in the Third Schedule to Representation of the People Act, 1950 (43 of 1950),—

(a) the entry No. 3 relating to Bombay shall be omitted and the existing entries 4 and 5 shall be renumbered as entries 3 and 4 respectively;

(b) after the entry relating to Madras, the following entry shall be inserted, namely:—
"5. Maharashtra.. 78 22 7 7 30 12."

22. *Council constituencies.*—As from the appointed day, the Delimitation of Council Constituencies (Bombay) Order, 1951 shall stand amended as directed in the Fifth Schedule.

23. *Provision as to certain sitting members.*—(1) On the appointed day—

(a) the sitting members of the Legislative Council of Bombay specified in the Sixth Schedule shall cease to be members of that Council; and

(b) all other sitting members of that Council shall become members of the Legislative Council of Maharashtra and any such sitting member representing a council constituency the extent of which is altered by virtue of the provisions of section 22 shall be deemed to have been elected to the Legislative Council of Maharashtra by that constituency as so altered.

(2) The term of office of the members referred to in clause (b) of sub-section (1) shall remain unaltered.

24. *Special provision as to biennial elections.*—

(1) Notwithstanding anything contained in section 16 of the Representation of the People Act, 1951 (43 of 1951), no notification under that section shall be published before the appointed day for holding biennial elections to fill the seats of members of the Legislative Council of Bombay, retiring on the expiration of their term of office on the 24th day of April, 1960.

(2) The term of office of the members of the said council elected to fill the vacancies at the said biennial elections shall expire on the 24th day of April, 1966.

25. Chairman and Deputy Chairman.—(1) The person who immediately before the appointed day is the Deputy Chairman of the Legislative Council of Bombay shall be the Deputy Chairman of the Legislative Council of Maharashtra.

(2) As soon as may be after the completion of the biennial elections referred to in section 24, the Legislative Council of Maharashtra shall choose one of its members to be the Chairman thereof.

SCHEDULED CASTES AND SCHEDULED TRIBES

26. Amendment of the Scheduled Castes Order.—As from the appointed day, the Constitution (Scheduled Castes) Order, 1950, shall stand amended as directed in the Seventh Schedule.

27. Amendment of the Scheduled Tribes Order.—As from the appointed day, the Constitution (Scheduled Tribes) Order, 1950, shall stand amended as directed in the Eighth Schedule.

PART IV HIGH COURTS

28. High Court for Gujarat.—(1) As from the appointed day, there shall be a separate High Court for the state of Gujarat (hereinafter referred to as "the High Court of Gujarat") and the High Court of Bombay shall become the High Court for the State of Maharashtra (hereinafter referred to as the High Court at Bombay).

(2) The principal seat of the High Court of Gujarat shall be at such place as the President may, by notified order, appoint.

(3) Notwithstanding anything contained in sub-section (2), the Judges and division courts of the High Court of Gujarat may sit at such other place or places in the State of Gujarat other than its principal seat as the Chief Justice may, with the approval of the Governor of Gujarat appoint.

29. Judges of Gujarat High Court.—(1) Such of the Judges of the High Court of Bombay holding office immediately before the appointed day as may be determined by the President shall on that day cease to be Judges of the High Court at Bombay and become Judges of the High Court of Gujarat.

(2) The persons who by virtue of sub-section (1) become Judges of the High Court of Gujarat shall, except in the case where any such person is appointed to be the Chief Justice of that High Court, rank in that Court according to the priority of their respective appointments as Judges of the High Court of Bombay.

30. Jurisdiction of Gujarat High Court.—The High Court of Gujarat shall have, in respect of any part of the territories included in the State of Gujarat, all such jurisdiction powers and authority as, under the law in force immediately before the appointed day, are exercisable in respect of that part of the said territories by the High Court of Bombay.

Section 31—Repealed vide Act No. 28 of 1961.

32. Practice and procedure in Gujarat High Court.—Subject to the provisions of this Part, the law in force immediately before the appointed day with respect to practice and procedure in the High Court of Bombay shall, with the necessary modifications, apply in relation to the High Court of Gujarat, and accordingly, the High Court of Gujarat shall have all such powers to make rules and orders with respect to practice and procedure as are immediately before the appointed day exercisable by the High Court of Bombay:

Provided that any rules or orders which are in force immediately before the appointed day with respect to

practice and procedure in the High Court of Bombay shall, until varied or revoked by rules or orders made by the High Court of Gujarat, apply with the necessary modifications in relation to practice and procedure in the High Court of Gujarat as if made by that Court.

33. Custody of seal of Gujarat High Court.—The law in force immediately before the appointed day with respect to the custody of the seal of the High Court of Bombay shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court of Gujarat.

34. Form of writs and other processes.—The law in force immediately before the appointed day with respect to the form of writs and other processes used, issued or awarded by the High Court of Bombay shall, with the necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the High Court of Gujarat.

35. Powers of Judges.—The law in force immediately before the appointed day relating to the powers of the Chief Justice, single Judges and division courts of the High Court of Bombay and with respect to all matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the High Court of Gujarat.

36. Procedure as to appeals to Supreme Court.—The law in force immediately before the appointed day relating to appeals to the Supreme Court from the High Court of Bombay and the Judges and division courts thereof shall, with the necessary modifications, apply in relation to the High Court of Gujarat.

37. Transfer of Proceedings from Bombay High Court to Gujarat High Court.—(1) Except as hereinafter provided, the High Court at Bombay shall, as from the appointed day, have no jurisdiction in respect of the transferred territory.

(2) Such proceedings pending in the High Court of Bombay immediately before the appointed day as are certified, whether before or after that day, by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Gujarat shall, as soon as may be after such certification, be transferred to the High Court of Gujarat.

(3) Notwithstanding anything contained in sub-section (1) and (2) of this section or in section 30, but save as hereinafter provided, the High Court at Bombay shall have, and the High Court of Gujarat shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings where any such proceedings seek any relief in respect of any order passed by the High Court of Bombay before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court at Bombay, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Gujarat, he shall order that they shall be so transferred, and such proceedings shall thereupon be transferred accordingly.

(4) Any order made by the High Court of Bombay—

(a) before the appointed day, in any proceedings transferred to the High Court of Gujarat by virtue of sub-section (2), or

(b) in any proceedings with respect to which the High Court at Bombay retains jurisdiction by virtue of sub-section (3), shall for all purposes have effect, not only as an order of the High

Court at Bombay, but also as an order made by the High Court of Gujarat.

38. *Right to appear or to act in proceedings transferred to Gujarat High Court.*—Any person, who, immediately before the appointed day, is an advocate entitled to practise, or an attorney entitled to act, in the High Court of Bombay and was authorised to appear or to act in any proceedings transferred from that High Court to the High Court of Gujarat under section 37, shall have the right to appear or to act, as the case may be, in the High Court of Gujarat in relation to those proceedings.

39. *Interpretation.*—For the purposes of section 37—

(a) proceedings shall be deemed to be pending in a court until that court has disposed of all issues between the parties, including any issues with respect to the taxation of the costs of the proceedings and shall include appeals, applications for leave to appeal to the Supreme Court, applications for review, petitions for revision and petitions for writs;

(b) references to a High Court shall be construed as including references to a Judge or division court thereof, and references to an order made by a court or a Judge shall be construed, as including references to a sentence, judgment or decree passed or made by that court or Judge.

40. *Savings.*—Nothing in this Part shall affect the application to the High Court of Gujarat of any provisions of the Constitution, and this Part shall have effect subject to any provision that may be made on or after the appointed day with respect to that High Court by any Legislature or other authority having power to make such provision.

41. *Permanent Bench of Bombay High Court at Nagpur.* Without prejudice to the provisions of section 51 of the States Reorganisation Act, 1956, (37 of 1956), such Judges of the High Court at Bombay, being not less than three in number, as the Chief Justice may from time to time nominate, shall sit at Nagpur in order to exercise the jurisdiction and power for the time being vested in that High Court in respect of cases arising in the districts of Buldana, Akola, Amravati, Yetmal, Wardhan, Nagpur, Bhandara, Chanda and Rajura;

Provided that the Chief Justice may, in his discretion, order that any case arising in any such district shall be heard at Bombay.

PART V

AUTHORISATION OF EXPENDITURE

42. *Authorisation of expenditure of Gujarat State.*—The Governor of Bombay may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the State of Gujarat as he deems necessary for a period of not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislature of the State of Gujarat:

Provided that the Governor of Gujarat may, after the appointed day, authorise such further expenditure as he deems necessary from the Consolidated Fund of the State of Gujarat for any period not extending beyond the said period of six months.

43. *Reports relating to accounts of Bombay State.*—(1) The reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 relating to the accounts of the State of Bombay in respect of any period prior to the appointed day shall be submitted to

the Governor of each of the States of Maharashtra and Gujarat who shall cause them to be laid before the Legislature of the State.

(2) The President may by order—

(a) declare any expenditure incurred out of the Consolidated Fund of Bombay on any service in respect of any period prior to the appointed day during the financial year 1960-61 or in respect of any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (1) to have been duly authorised, and

(b) provide for any action to be taken on any matter arising out of the said reports.

44. *Allowances and privileges of Governor of Gujarat.* The allowances and privileges of the Governor of Gujarat shall, until provision in that behalf is made by Parliament by law under clause (3) of article 158, be such as the President may, by order, determine.

45. *Distribution of revenues.*—(1) Section 3 of the Union of Excise (Distribution) Act, 1957, (55 of 1957), sections 3 and 5 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957, (57 of 1957), section 4 of and the Second Schedule to, the Additional Duties of Excise (Goods of Special Importance) Act, 1957, (58 of 1957), and paragraph 3 of the Constitution (Distribution of Revenues) No. 2 Order, 1957, shall have effect subject to such modifications as are specified in the Ninth Schedule.

(2) The total amount payable to the State of Maharashtra under the enactments and Order referred to in sub-section (1) in respect of the part of the financial year 1960-61 beginning with the appointed day and in respect of the financial year 1961-62 shall be reduced by a sum of 602 lakhs of rupees and 614 lakhs of rupees, respectively and the total amount payable to the State of Gujarat under those enactments and Order in respect of each of those periods shall be correspondingly increased.

PART VI

APPORTIONMENT OF ASSETS AND LIABILITIES

46. *Application of Part.*—The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities of the State of Bombay immediately before the appointed day.

47. *Land and goods.*—(1) Subject to the other provisions of this Part, all land and all stores, articles and other goods belonging to the State of Bombay shall,—

- (a) if within the transferred territory, pass to the State of Gujarat; or
- (b) in any other case, remain the property of the State of Maharashtra:

Provided that where the Central Government is of opinion that any goods or class of goods should be distributed otherwise than according to the situation of the goods, the Central Government may issue such directions as it thinks fit for a just and equitable distribution of the goods and the goods shall remain the property of the State of Maharashtra or, as the case may be, pass to the State of Gujarat, accordingly.

(2) Any such stores of the State of Bombay as are referred to in the Tenth Schedule shall be divided between the States of Maharashtra and Gujarat in the manner specified therein.

(3) In this section, the expression "land" include immovable property of every kind and any rights in or over such property, and the expression "goods" does not

include coins, bank notes and currency notes.

48. *Treasury and bank balances.*—The total of the cash balances in all treasuries of the State of Bombay and the credit balance of that State with the Reserve Bank of India, the State Bank of India and the State Bank of Saurashtra immediately before the appointed day shall be divided between the States of Maharashtra and Gujarat according to the population ratios :

Provided that for the purposes of such division, there shall be no transfer of cash balances from any treasury to any other treasury and the apportionment shall be effected by adjusting the credit balances of the two States in the books of the Reserve Bank of India on the appointed day:

Provided further that if the State of Gujarat has no account on the appointed day with the Reserve Bank of India, the adjustment shall be made in such manner as the Central Government may, by order, direct.

49. *Arrears of taxes.*—The right to recover arrears of any tax or duty on property, including arrears of land revenue, shall belong to the State in which the property is situated, and the right to recover arrears of any other tax or duty shall belong to the State in whose territories the place of assessment of that tax or duty is included on the appointed day:

Provided that any sum recovered after the appointed day in respect of any arrears of tax accruing during the period between the 1st day of January, 1960, and the 30th day of April, 1960 (both days inclusive) under the Central Sales Tax Act, 1956 (74 of 1956) or the Bombay Sales Tax Act, 1959, (Bom. Act LI of 1959) shall, after deducting the cost of collection thereof, be divided between the States of Maharashtra and Gujarat according to the population ratio.

50. *Right to recover loans and advances.*—(1) The right of the State of Bombay to recover any loans or advances made before the appointed day to any local body, society, agriculturist or other person in an area within that State shall belong to the State in which that area is included on that day.

(2) The right of the State of Bombay to recover any loans or advances made before the appointed day to any person or institution outside that State shall belong to the State of Maharashtra:

Provided that any sum recovered in respect of any such loan or advance shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

51. *Credits in certain funds.*—(1) Out of the investments of the State of Bombay made before the appointed day in the cash balance investment account of the State, such securities of the value of ten crores of rupees, as the Central Government may by order specify, shall pass to the State of Gujarat in connection with the construction of a capital for that State; and the remaining investments in the said account shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

(2) The investments of the State of Bombay immediately before the appointed day in the State Famine Relief Fund, the State Road Fund, the Fund for Development Schemes, the Insurance Fund, the Bombay State Milk Fund, the Securities Adjustment Reserve Fund and any other general fund and the sums at the credit of that State in the Central Road Fund shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

(3) The investments of the State of Bombay immediately before the appointed day in the Dangs District Reserve Fund, the Port Reserve Fund, the Port Development Fund and the Anand Institute Fund shall pass to the State of Gujarat and the investments in any other special fund the objects of which are confined to a local area shall belong to the State in which that area is included on the appointed day.

(4) The investments of the State of Bombay immediately before the appointed day in any private commercial commercial or industrial undertaking, in so far as such investments have not been made or are deemed not to have been made from the cash balance investment account, shall pass to the State in which the principal seat of business of the undertaking is located.

(5) Where any body corporate constituted under a Central Act, State Act or Provincial Act for the State of Bombay or any part thereof has, by virtue of the provisions of Part II, become an inter-State body corporate the investments in or loans or advances to, any such body corporate by the State of Bombay made before the appointed day shall, save as otherwise expressly provided by or under this Act, be divided between the States of Maharashtra and Gujarat in the same proportion in which the assets of the body corporate are divided under the provisions of Part VII.

52. *Special Revenue Reserve Fund in Gujarat.*—(1) Out of the investments in the cash balance investment account which remain with the State of Maharashtra after giving effect to the provisions of section 51, such securities of the value of 1,420 lakhs of rupees as the Central Government may by order specify shall stand transferred to the State of Gujarat.

(2) There shall be constituted in the State of Gujarat a Fund to be called the Special Revenue Reserve Fund consisting of the securities transferred to that State under sub-section (1) and such other securities belonging to the State of Gujarat of the value of 1,419 lakhs of rupees as the Central Government may by order specify.

(3) From and out of the fund constituted under sub-section (2), there shall be transferred as receipts in the revenue account of the State of Gujarat in each of the financial years specified in column 1 of the following Table a sum set out against that year in column 2 thereof, and in the financial year, 1969-70, the balance, if any, remaining in that fund:—

TABLE	
Financial year	Amount in lakhs of rupees
(1)	(2)
1962-63	612
1963-64	585
1964-65	561
1965-66	526
1966-67	433
1967-68	340
1968-69	209

53. *Assets and liabilities of State undertakings.*—(1) The assets and liabilities relating to any commercial or industrial undertaking of the State of Bombay shall pass to the State in which the undertaking is located.

(2) Where a depreciation reserve fund is maintained by the State of Bombay for any such commercial or industrial undertaking, the securities held in respect of investments made from that fund shall pass to the State in which the undertaking is located.

54. *Public debt.*—(1) The public debt of the State of Bombay attributable to loans raised by the issue of Government securities and outstanding with the public

immediately before the appointed day shall, as from that day, be the debt of the State of Maharashtra:

Provided that—

- (a) the State of Gujarat shall be liable to pay to the State of Maharashtra its share of the sums due from time to time for the servicing and repayment of the debt; and
- (b) for the purpose of determining the said share, the debt shall be deemed to be divided between the States of Maharashtra and Gujarat as if it were a debt referred to in sub-section (2) or sub-section (3), as the case may be.

(2) The public debt of the State of Bombay attributable to loans taken from the Central Government, the National Co-operative Development and Warehousing Board or the Khadi and Village Industries Commission or from any other source for the express purpose of re-lending the same to a specific institution and out standing immediately before the appointed day shall,—

- (a) if re-lent to any local body, body corporate or other institution in any local area, be the debt of the State in which the local area is included on the appointed day; or
- (b) if re-lent to the Bombay State Electricity Board, the Bombay State Road Transport Corporation, or the Bombay Housing Board or any other institution which becomes an inter-State institution on the appointed day, be divided between the States of Maharashtra and Gujarat in the same proportion in which the assets of such body corporate or institution are divided under the provisions of Part VII.

(3) The remaining public debt of the State of Bombay attributable to loans taken from the Central Government, the Reserve Bank of India or any other body corporate and outstanding immediately before the appointed day shall be divided between the States of Maharashtra and Gujarat in proportion to the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred upto the appointed day in the territories included respectively in each of those States;

Provided that for the purposes of such division, only the expenditure on assets for which capital accounts have been kept shall be taken into account.

Explanation.—Where any expenditure on capital works or other capital outlays cannot be allocated between the territories included in the States of Maharashtra and Gujarat, such expenditure shall, for the purposes of this sub-section, be deemed to have been incurred in those territories according to the population ratio.

(4) Where a sinking fund or a depreciation fund is maintained by the State of Bombay for repayment of any loan raised by it, the securities held in respect of investments made from that fund shall be divided between the States of Maharashtra and Gujarat in the same proportion in which the total public debt is divided between the two States under this section.

Explanation.—For the purposes of this sub-section, the fund in the public account of the State of Bombay known as the Debt Redemption and Avoidance Fund shall be deemed to be a sinking fund.

(5) The share of the State of Gujarat in the liability on account of public debt apportioned under sub-section (3) shall be reduced by 1,419 lakhs of rupees and the share of the State of Maharashtra in such liability shall be correspondingly increased.

(6) In this section, the expression "Government securi-

ty" means a security created and issued by a State Government for the purpose of raising a public loan and having any of the forms specified in, or prescribed under, clause (2) of section 2 of the Public Debt Act, 1944 (18 of 1944).

55. Floating Debt.—(1) The liability of the State of Bombay in respect of any floating debt of a Merged State shall be the liability of the State in whose territories the area of the Merged State is included on the appointed day.

(2) The liability of the State of Bombay in respect of any other floating loan to provide short-term finance to any commercial undertaking shall be the liability of the State in whose territories the undertaking is located.

56. Refund of taxes collected in excess.—The liability of the State of Bombay to refund any tax or duty on property, including land revenue, collected in excess shall be the liability of the State in which the property is situated, and the liability of the State of Bombay to refund any other tax or duty collected in excess shall be the liability of the State in whose territories the place of assessment of that tax or duty is included:

Provided that the liability to refund any amount after the appointed day on account of any excess collected in respect of any tax accruing during the period between the 1st day of January, 1960 and the 30th day of April, 1960 (both days inclusive) under the Central Sales Tax Act, 1956 (74 of 1956) or the Bombay Sales Tax Act, 1959 (Bombay Act LI of 1959) shall be shared between the two States of Maharashtra and Gujarat according to the population ratio.

57. Deposits, etc.—(1) The liability of the State of Bombay in respect of any civil deposit or local fund deposit shall, as from the appointed day, be the liability of the State in whose area the deposit has been made.

(2) The liability of the State of Bombay in respect of any charitable or other endowment shall, as from the appointed day, be the liability of the State in whose area the institution entitled to the benefit of the endowment is located or of the State to which the objects of the endowment, under the terms thereof, are confined.

58. Provident fund.—The liability of the State of Bombay in respect of the provident fund account of a Government servant in service on the appointed day shall, as from that day, be the liability of the State to which that Government servant is permanently allotted.

59. Pensions.—The liability of the State of Bombay in respect of pensions shall pass to, or be apportioned between, the States of Maharashtra and Gujarat in accordance with the provisions contained in the Eleventh Schedule.

60. Contracts.—(1) Where, before the appointed day, the State of Bombay has made any contract in the exercise of its executive power for any purposes of the State, that contract shall be deemed to have been made in the exercise of the executive power,—

(a) if such purposes are, as from that day, exclusively purposes of either the State of Maharashtra or the State of Gujarat, of that State; and

(b) in any other case, of the State of Maharashtra; and all rights and liabilities which have accrued, or may accrue, under any such contract shall, to the extent to which they would have been rights or liabilities of the State of Bombay, be rights or liabilities of the State of Maharashtra or the State of Gujarat, as the case may be;

Provided that in any such case as is referred to in clause (b), the initial allocation of rights and liabilities

made by this sub-section shall be subject to such financial adjustment as may be agreed upon between the State of Maharashtra and the State of Gujarat or, in default of such agreement, as the Central Government may by order direct.

(2) For the purposes of this section, there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract—

(a) any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract; and

(b) any liability in respect of expenses incurred in or in connection with any such proceedings.

(3) This section shall have effect subject to the other provisions of this Part relating to the apportionment of liabilities in respect of loans, guarantees and other financial obligations; and bank balances and securities shall, notwithstanding that they partake of the nature of contractual rights, be dealt with under those provisions.

61. *Liability in respect of actionable wrong.*—Where, immediately before the appointed day, the State of Bombay is subject to any liability in respect of any actionable wrong other than breach of contract, that liability shall,—

(a) if the cause of action arose wholly within the territories which, as from that day, are the territories of the State of Maharashtra or the State of Gujarat, be a liability of that State; and

(b) in any other case, be initially a liability of the State of Maharashtra, but subject to such financial adjustment as may be agreed upon between the States of Maharashtra and Gujarat or, in default of such agreement, as the Central Government may by order direct.

62. *Liability as guarantor.*—Where, immediately before the appointed day, the State of Bombay is liable as guarantor in respect of any liability of a registered co-operative society or other person, that liability shall,—

(a) if the area of operations of such society or person is limited to the territories which, as from that day, are the territories of the State of Maharashtra or of the State of Gujarat, be a liability of that State; and

(b) in any other case, be initially a liability of the State of Maharashtra, subject to such financial adjustment as may be agreed upon between the States of Maharashtra and Gujarat or, in default of such agreement, as the Central Government may by order direct.

63. *Items in suspense.*—If any item in suspense is ultimately found to affect an asset or liability of the nature referred to in any of the foregoing provisions of this Part, it shall be dealt with in accordance with that provision.

64. *Residuary provision.*—The benefit or burden of any asset or liability of the State of Bombay not dealt with in the foregoing provisions of this Part shall pass to the State of Maharashtra in the first instance, subject to such financial adjustment as may be agreed upon between the States of Maharashtra and Gujarat before the 1st day of April, 1961 or, in default of such agreement, as the Central Government may by order direct.

65. *Apportionment of assets or liabilities by agreement.*—Where the States of Maharashtra and Gujarat agree that the benefit or burden of any particular asset or liability should be apportioned between them in a manner other than that provided for in the foregoing provisions of this Part, then, notwithstanding anything contained

therein, the benefit or burden of that asset or liability shall be apportioned in the manner agreed upon.

66. *Power of Central Government to order allocation or adjustment in certain cases.*—Where, by virtue of any of the provisions of this Part, any of the States of Maharashtra and Gujarat becomes entitled to any property or obtains any benefits or becomes subject to any liability and the Central Government, on a reference made within a period of three years from the appointed day by either of the States, is of opinion that it is just and equitable that that property or those benefits should be transferred to, or shared with, the other State or that a contribution towards that liability should be made by the other State, the said property or benefits shall be allocated in such manner between the two States, or the other State shall make to the State subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the two State Governments, by order determine.

67. *Certain expenditure to be charged on Consolidated Fund.*—All sums payable either by the State of Maharashtra or by the State of Gujarat to the other State or by the Central Government to either of those States, by virtue of the provisions of this Act, shall be charged on the Consolidated Fund of the State by which such sums are payable or, as the case may be, the Consolidated Fund of India.

PART VII

PROVISIONS AS TO CERTAIN CORPORATIONS

68. *Provisions as to Bombay State Electricity Board and State Warehousing Corporation.*—(1) The following bodies corporate constituted for the State of Bombay namely:—

(a) the State Electricity Board constituted under the Electricity Supply Act, 1948 (54 of 1948); and

(b) the State Warehousing Corporation established under the Agricultural Procedure (Development and Warehousing) Corporations Act, 1956 (28 of 1956); shall, as from the appointed day, continue to function in those areas in respect of which they were functioning immediately before that day, subject to the provisions of this section and to such directions as may, from time to time, be issued by the Central Government.

(2) Any directions issued by the Central Government under sub-section (1) in respect of the Board or the Corporation shall include a direction that the Act under which the Board or the Corporation was constituted shall, in its application to that Board or Corporation have effect subject to such exceptions and modifications as the Central Government thinks fit.

(3) The Board or the Corporation referred to in sub-section (1) shall cease to function as from, and shall be deemed to be dissolved on, the 1st day of October 1960, or such earlier date as the Central Government may, by order, appoint; and upon such dissolution, its assets, rights and liabilities shall be apportioned between the State of Maharashtra and the State of Gujarat in such manner as may be agreed upon between them within one year of the dissolution of the Board or the Corporation, as the case may be, or if no agreement is reached, in such manner as the Central Government may by order determine.

Nothing in the preceding provisions of this section shall be construed as preventing the Government of the State of Maharashtra or, as the case may be, the Government of the State of Gujarat from constituting, at any time on or after the appointed day, a State Electricity

Board or a State Warehousing Corporation for that State under the provisions of the Act relating to such Board or Corporation; and if such a Board or Corporation is so constituted in either of the States before the dissolution of the Board or the Corporation referred to in sub-section (1),—

- (a) provision may be made by order of the Central Government enabling the new Board or the new Corporation to take over from the existing Board or Corporation all or any of its undertakings, assets, rights and liabilities in that State, and
- (b) upon the dissolution of the existing Board or Corporation any assets, rights and liabilities which would otherwise have passed to that State by or under the provisions of sub-section (3) shall pass to the new Board or the new Corporation instead of to that State.

69. *Continuance of arrangements in regard to generation and supply of electric power and supply of water.*—If it appears to the Central Government that the arrangement in regard to the generation or supply of electric power or the supply of water for any area or in regard to the execution of any project for such generation or supply has been or is likely to be modified to the disadvantage of that area by reason of the fact that it is, by virtue of the provisions of Part II, outside the State in which the power stations and other installations for the generation and supply of such power, or the catchment area, reservoirs and other works for the supply of water as the case may be, are located, the Central Government may give such directions as it deems proper to the State Government or other authority concerned for the maintenance, so far as practicable, of the previous arrangement.

70. *Provisions as to Bombay State Financial Corporation.*—(1) The Bombay State Financial Corporation established under the State Financial Corporations Act, 1951 (63 of 1951) shall, as from the appointed day, continue to function in those areas in respect of which it was functioning immediately before that day, subject to the provisions of this section and to such directions as may, from time to time, be issued by the Central Government.

(2) Any directions issued by the Central Government under sub-section (1) in respect of the Corporation shall include a direction that the said Act, in its application to the Corporation, shall have effect subject to such exceptions and modifications as may be specified in the direction.

(3) A general meeting of the Corporation shall be convened, in accordance with the rules to be made in this behalf by the Central Government, by the Board thereof before the 31st day of July, 1960, or within such further time as the Central Government may allow, for the consideration of a scheme for the reconstitution or re-organisation or dissolution as the case may be, of the Corporation, including proposals regarding the formation of new corporations, and the transfer thereto of the assets, rights and liabilities of the existing Corporation, and if such a scheme is approved at the general meeting by a resolution passed by a majority of the shareholders present and voting, the scheme shall be submitted to the Central Government for its sanction.

(4) If the scheme is sanctioned by the Central Government either without modifications or with modifications which are approved at a general meeting, the Central Government shall certify the scheme, and upon such certification, the scheme shall, notwithstanding anything to the contrary contained in any law for the time being in

force, be binding on the corporations affected by the scheme as well as the shareholders and creditors thereof.

(5) If the scheme is not so approved or sanctioned, the Central Government may refer the scheme to such Judge of the High Court at Bombay as may be nominated in this behalf by the Chief Justice thereof, and the decision of the Judge in regard to the scheme shall be final and shall be binding on the corporations affected by the scheme as well as the shareholders and creditors thereof.

(6) Nothing in the preceding provisions of this section shall be construed as preventing the Government of the State of Gujarat from constituting, at any time on or after the appointed day, a State Financial Corporation for that State under the State Financial Corporations Act, 1951 (63 of 1951).

71. *Amendment of Act 64 of 1950.*—In the Road Transport Corporations Act, 1950,—

(1) in section 47A,—

(a) in sub-section (1),—

(i) for the words, letters and figures, “the whole or any part of a State in respect of which a Corporation was, immediately before the 1st day of November, 1956”, the words “or any other enactment relating to re-organisation of States, “the whole or any part of a State in respect of which a Corporation was, immediately before the day on which the re-organisation takes place,” shall be substituted;

(ii) in the *Explanation*, for clause (i), the following clause shall be substituted, namely:—

“(i) in relation to the Bombay State Road Transport Corporation, shall mean the Government of the State of Maharashtra or of Gujarat as formed under the Bombay Re-organisation Act, 1960;”;

(b) in sub-section (3), in clause (f), after the words and figures “the States Re-organisation Act, 1956”, the words “or any other enactment relating to re-organisation of States” shall be inserted;

(2) after section 47A, the following section shall be inserted, namely:—

“48. *Transitional provision relating to Bombay State road Transport Corporation.*—Notwithstanding anything contained in section 47A, it shall be lawful for the Government of the State of Bombay to frame a scheme under sub-section (1) thereof and forward the same to the Central Government before the 1st day of May, 1960, and in such a case, the power conferred on the Central Government to make an order under sub-section (2) thereof may be exercised before that day but no order so made shall take effect till that day.”

72. *Special provision for Bar Council of Gujarat.*—(1) In the Indian Bar Councils Act, 1926, (38 of 1926).—

(a) in section 4,—

(i) to sub-section (2), the following *Explanation* shall be added, namely:—

“*Explanation.*—For the purpose of election to the Bar Council for the High Court of Gujarat, the period of ten years aforesaid shall be computed after taking into account the period for which the person concerned was entitled as of right to practise in the High Court of Bombay or of Saurashtra or in the Judicial Commissioner's Court of Kutch before the 1st day of May, 1960.”;

(ii) for the proviso to sub-section (4), the following proviso shall be substituted, namely:—

“Provided that the Advocate-General of West Bengal,

Madras, Maharashtra and Gujarat shall be Chairmen *ex-officio*, respectively, of the Bar Councils constituted for the High Courts of those States.”

(b) after section 5, following section shall be inserted, namely:—

“5A. *Ad hoc Bar Council for Gujarat High Court.*—Notwithstanding anything contained in this Act, the Chief Justice of the High Court of Gujarat shall nominate the members of the first Bar Council under this Act for the High Court of Gujarat and the members so nominated shall remain in office for a period of twelve months.”

(2) The assets and liabilities of the Bar Council for the High Court of Bombay shall be divided between the Bar Councils for the High Court at Bombay and the High Court of Gujarat in such manner as may be agreed upon, and in default of such agreement, as may be directed by the Attorney-General for India.

73. *Amendment of Act 6 of 1942.*—In the Multi-unit Co-operative Societies Act, 1942, after section 5B, the following sections shall be inserted, namely:—

“5C. *Transitional provision relating to certain multi-unit co-operative societies.*—(1) Where, in respect of any co-operative society specified in the Twelfth Schedule, which under the provisions of sub-section (1) of section 5A becomes a multi-unit co-operative society, the Board of Directors unanimously adopts any scheme for the reconstitution, reorganisation or dissolution of the society, including proposals for the formation of new co-operative societies and the transfer thereto of the assets and liabilities and employees of that society and the State Government of Bombay certifies the scheme at any time before the 1st day of May, 1960, then notwithstanding anything contained in sub-section (2) or sub-section (3) or sub-section (4) of the said section or any other law, regulation or bye-law for the time being in force in relation to that society, the scheme so certified shall be binding on all societies affected by the scheme, as well as the share-holders, creditors and employees of all such societies, subject to such financial adjustments as may be directed in this behalf under sub-section (3), but no such scheme shall be given effect to before the said day.

(2) When a scheme in respect of a co-operative society is so certified, the Central Registrar shall place the scheme at a meeting, held in such manner as may be prescribed by rules made under this Act, of all the persons who, immediately before the date of certification of the scheme, were members of the society and the scheme may be approved by a resolution passed by a majority of the members present and voting at the said meeting.

(3) If the scheme is not so approved or is approved with modifications, the Central Registrar may refer the scheme to such Judge of the High Court at Bombay as may be nominated in this behalf by the Chief Justice thereof and the Judge may direct such financial adjustments to be made among the societies affected as he deems necessary, and the scheme shall be deemed to be approved subject to those financial adjustments.

(4) If in consequence of the directions given under sub-section (3) a society becomes liable to pay any sum of money, the State within whose area the society is located shall be liable as guarantor in respect of the payment of such money.”

74. *General provisions as to statutory corporations.*—(1) Save as otherwise expressly provided by the foregoing provisions of this Part, whereany body corporate constituted under a Central Act, State Act or Provincial

Act for the State of Bombay or any part thereof has, by virtue of the provisions of Part II, become an inter-State body corporate, then, the body corporate shall, as from the appointed day, continue to function and operate in those areas in respect of which it was functioning and operating immediately before that day, subject to such directions as may from time to time be issued by the Central Government, until other provision is made by law in respect of the said body corporate.

(2) Any directions issued by the Central Government under sub-section (1) in respect of any such body corporate shall include a direction that any law by which the said body corporate is governed shall, in its application to that body corporate, have effect subject to such exceptions and modifications as may be specified in the direction.

75. *Amendment of Act 38 of 1957.*—In the Inter-State Corporations Act, 1957, in the preamble, in section 2, in clause (f) of sub-section (2) of section 4 and in section 5, after the words and figures “the States Reorganisation Act, 1956” wherever they occur, the words “or of any other enactment relating to Reorganisation of States” shall be inserted.

76. *Temporary provisions as to continuance of certain existing road transport permits.*—(1) Notwithstanding anything contained in section 63 of the Motor Vehicles Act, 1939 (4 of 1939), a permit granted by the State Transport Authority of Bombay or any Regional Transport authority in that State, shall, if such permit was, immediately before the appointed day, valid and effective in any area in the transferred territory, be deemed to continue to be valid and effective in that area after that day subject to the provisions of that Act as for the time being in force in that area; and it shall not be necessary for any such permit to be countersigned by the State Transport Authority of Gujarat or any Regional Transport Authority therein for the purpose of validating for use in such area:

Provided that the Central Government may, after consultation with the State Governments of Maharashtra and Gujarat, add to, amend or vary the conditions attached to the permit by the Authority by which the permit was granted.

(2) No tolls, entrance fees or other charges of a like nature shall be levied after the appointed day in respect of any transport vehicle for its operations in the State of Gujarat under any such permit if such vehicle was immediately before that day, exempt from the payment of any such toll, entrance fees or other charges for its operations in the transferred territory:

Provided that the Central Government may, after consultation with the State Governments of Maharashtra and Gujarat, authorise the levy of any such toll, entrance fees or other charges, as the case may be.

77. *Special provision relating to retrenchment compensation in certain cases.*—Where on account of the reorganisation of the State of Bombay under this Act, any body corporate constituted under a Central Act, State Act or Provincial Act, any co-operative society registered under any law relating to co-operative societies or any commercial or industrial undertaking of that State is reconstituted or reorganised in any manner whatsoever or is amalgamated with any other body corporate, co-operative society or undertaking, or is dissolved, and in consequence of such reconstitution, reorganisation, amalgamation or dissolution, any workman employed by such body corporate or in any such co-operative society or undertaking, is transferred to, or re-employed by any other body corporate, or in any other co-operative society or under taking, then

notwithstanding anything contained in section 25F of the Industrial Disputes Act, 1947 (14 of 1947), such transfer or re-employment shall not entitle him to any compensation under that section:

Provided that—

- (a) the terms and conditions of service applicable to the workman after such transfer or re-employment are not less favourable to the workman than those applicable to him immediately before the transfer or re-employment;
- (b) the employer in relation to the body corporate the co-operative society or the undertaking where the workman is transferred or re-employed is, by agreement or otherwise, legally liable to pay to the workman, in the event of his retrenchment, compensation under section 25F of the Industrial Disputes Act, 1947 (14 of 1947), on the basis that his service has been continuous and has not been interrupted by the transfer or re-employment.

78. *Special provision as to income-tax.*—Where the assets, rights and liabilities of any body corporate carrying on any business are, under the provisions of this Part, transferred to any other bodies corporate which after the transfer carry on the same business, the losses of profits or gains sustained by the body corporate first mentioned which, but for such transfer, would have been allowed to be carried forward and set off in accordance with the provisions of section 24 of the Indian Income-tax Act, 1922 (11 of 1922), shall be apportioned amongst the transferee bodies corporate in accordance with the rules to be made by the Central Government in of this behalf and, on such apportionment, the share of loss allotted to each transferee body corporate shall be dealt with in accordance with the provisions of section 24 of the said Act, as if the transferee body corporate and had itself sustained such loss in a business carried on by it in the years in which these losses were sustained.

79. *Continuance of facilities in certain State institutions.*—(1) The Government of the State of Maharashtra or, as the case may be, the Government of the State of Gujarat shall in respect of the institutions specified in the Thirteenth Schedule located in that State, continue to provide facilities to the people of the other State which shall not, in any respect, be less favourable to such people, than what were being provided to them before the appointed day, for such period and upon such terms and conditions as may be agreed upon between the two State Governments before the 1st day of October, 1960 or, if no agreement is reached by the said date, as may be fixed by order of the Central Government.

(2) The Central Government may, at any time before the 1st day of October, 1960, by notification in the Official Gazette, specify in the thirteenth Schedule any other institution existing on the appointed day in the State of Maharashtra or of Gujarat, and on the issue of such notification, the Schedule shall be deemed to be amended by the inclusion of the said institution therein.

PART VIII

PROVISIONS AS TO SERVICES

80. *Provisions relating to All-India Service.*—(1) In this section, the expression "State cadre"—

- (a) in relation to the Indian Administrative Service, has the meaning assigned to it in the Indian Administrative Service (Cadre) Rules, 1954, and
- (b) in relation to the Indian Police Service, has the meaning assigned to it in the Indian Police Service (Cadre) Rules, 1954.

(2) In place of the cadres of the Indian Administrative Service and the Indian Police Service existing in the State of Bombay immediately before the appointed day, there shall, as from that day, be two separate cadres, one for the State of Maharashtra and the other for the State of Gujarat, in respect of each of these services.

(3) The initial strength and composition of each of the States cadres shall be such as the Central Government may by order determine before the appointed day.

(4) The members of each of the said services borne on those cadres for the State of Bombay immediately before the appointed day shall be allocated to the State cadres of the same service for each of the States of Maharashtra and Gujarat in such manner and with effect from such date or dates as the Central Government may, by order, specify.

(5) Nothing in this section shall be deemed to affect the operation, after the appointed day, of a India Services Act, 1951 (61 of 1951), or the rules made thereunder in relation to the State cadres of the said services constituted under sub-section (2) and in relation to the members of those services borne on the said cadres.

81. *Provisions relating to other services.*—(1) Every person who immediately before the appointed day, is serving in connection with the affairs of the State of Bombay shall, as from that day, provisionally continue to serve in connection with the affairs of the State of Maharashtra, unless he is required, by general or special order of the Central Government, to serve provisionally in connection with the affairs of the State of Gujarat.

(2) As soon as may be after the appointed day, the Central Government shall, by general or special order, determine the State to which every person provisionally allotted to the State of Maharashtra or Gujarat, shall be finally allotted for service and the date with effect from which such allotment shall take effect or be deemed to have taken effect.

(3) Every person who is finally allotted under the provisions of sub-section (2) to the State of Maharashtra or Gujarat shall, if he is not already serving there in, be made available for serving in that State from such date as may be agreed upon between the two State Governments or, in default of such agreement, as may be determined by the Central Government.

(4) The Central Government may by order establish one or more Advisory Committees for the purpose of assisting it in regard to—

- (a) the division and integration of the services among the States of Maharashtra and Gujarat; and
- (b) the ensuring of fair and equitable treatment to all persons affected by the provisions of this section and the proper consideration of any representations made by such persons.

(5) The foregoing provisions of this section shall not apply in relation to any person to whom the provisions of section 80 apply.

(6) Nothing in this section shall be deemed to affect, after the appointed day, the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to the determination of the conditions of service of persons serving in connection with the affairs of the State of Maharashtra or Gujarat:

Provided that the conditions of service applicable immediately before the appointed day to the case of any person provisionally or finally allotted to the State of Maharashtra or Gujarat under this section shall not be varied to his disadvantage except with the previous approval of the Central Government.

82. *Provisions as to continuance of officers in same post.*—Every person who, immediately before the appointed day, is holding or discharging the duties of any post or office in connection with the affairs of the State of Bombay in any area which on that day falls within the State of Maharashtra or Gujarat shall continue to hold the same post or office in that State and shall be deemed, as from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in that State:

Provided that nothing in this section shall be deemed to prevent a competent authority, after the appointed day from passing, in relation to such person, any order affecting his continuance in such post or office.

83. *Power of Central Government to give directions.*—The Central Government may give such directions to the State Governments of Maharashtra and Gujarat as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part and the State Government shall comply with such directions.

84. *Provisions as to Bombay Public Service Commission.*—(1) The Public Service Commission for the State of Bombay shall, as from the appointed day become the Public Service Commission for the State of Maharashtra.

(2) The report of the Bombay Public Service Commission as to the work done by the Commission in respect of any period prior to the appointed day shall be presented under clause (2) of article 323 to the Governors of Maharashtra and Gujarat, and the Governor of Maharashtra shall, on receipt of such report, cause a copy thereof together with a memorandum explaining, as far as possible, as respects the cases, if any where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State of Maharashtra and it shall not be necessary to cause such report or any such memorandum to be laid before the Legislative Assembly of the State of Gujarat.

PART IX

LEGAL AND MISCELLANEOUS PROVISIONS

85. *Amendment of article 371 of the Constitution.*—As from the appointed day, in article 371 of the Constitution, in clause (2),—

(a) for the words “the State of Bombay”, the words “the State of Maharashtra or Gujarat” shall be substituted; and

(b) for the words “the rest of Maharashtra” the word “and the rest of Maharashtra or, as the case may be,” shall be substituted.

86. *Amendment of Act 37 of 1956.*—In section 15 of the State Re-organisation Act, 1956—

(i) in clause (d), for the words “Bombay and Mysore”, the words “Gujarat and Maharashtra” shall be substituted; and

(ii) in clause (e), for the words “Madras and Kerala”, the words “Madras, Mysore and Kerala” shall be substituted.

87. *Territorial extent of laws.*—The provisions of Part II shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and territorial references in any such law to the State of Bombay shall, until otherwise provided by a competent Legislature or other competent authority, be construed as meaning the territories within that State immediately before the appointed day.

88. *Power to adapt laws.*—For the purpose of facilitating the application in relation to the State of Maharashtra

or Gujarat of any law made before the appointed day, the appropriate Government may, before the expiration of one year from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

Explanation.—In this section, the expression “appropriate Government” means as respects any law relating to a matter enumerated in the Union List the Central Government, and as respects any other law, the State Government.

89. *Power to construe laws.*—Notwithstanding that no provision or insufficient provision has been made under section 88 for the adaptation of a law made before the appointed day, any court, tribunal or authority required or empowered to enforce such law may for the purpose of facilitating its application in relation to the State of Maharashtra or Gujarat, construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

90. *Power to name authorities, etc., for exercising statutory functions.*—The Government of the State of Gujarat, as respects the transferred territory may, by notification in the Official Gazette, specify the authority, officer or person who, on or after the appointed day, shall be competent to exercise such functions exercisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly.

91. *Legal proceedings.*—Where immediately before the appointed day, the State of Bombay is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment between the States of Maharashtra and Gujarat under this Act, the State of Maharashtra or Gujarat which succeeds to, or acquires a share, in that property or those rights or liabilities by virtue of any provision of this Act shall be deemed to be substituted for the State of Bombay as a party to those proceedings, and the proceedings may continue accordingly.

92. *Transfer of pending proceedings.*—(1) Every proceeding pending immediately before the appointed day before a court (other than a High Court), tribunal, authority or officer in any area which on that day falls within the State of Maharashtra shall, if it is a proceeding relating exclusively to the transferred territory, stand transferred to the corresponding court, tribunal authority or officer in the State of Gujarat.

(2) If any question arises as to whether any proceeding should stand transferred under sub-section (1), it shall be referred to the High Court at Bombay and the decision of that High Court shall be final.

(3) In this section—

(a) “proceeding” includes any suit, case or appeal; and

(b) “corresponding court, tribunal, authority or officer” in the State of Gujarat means—

(i) the court, tribunal, authority or officer in which, or before whom, the proceeding would have lain if it had been instituted after the appointed day; or

(ii) in case of doubt, such court, tribunal, authority, or officer in that State, as may be determined after the appointed day by the Government of that State, or before the appointed day by the Government of Bombay, to be the corresponding court, tribunal, authority or officer.

93. *Right of pleaders to practise in certain cases.*—Any person who, immediately before the appointed day, is enrolled as a pleader entitled to practise in any subordinate courts in the State of Bombay shall, for a period of one year from that day, continue to be entitled to practise in those courts, notwithstanding that the whole or any part of the territories within the jurisdiction of those courts has been transferred to the State of Gujarat.

94. *Effect of provisions of the Act inconsistent with other laws.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

95. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the President may, by order, do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulties.

96. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however that any such modifications or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE FIRST SCHEDULE

[(See section 3(1) (b))]

TERRITORIES TRANSFERRED FROM THE STATE OF BOMBAY TO THE STATE OF GUJARAT

(Any reference in this Schedule to a census code number in relation to a village means the code number assigned to that village in the census of 1951)

PART I

Umbergaon taluka of Thana District

Name of Village	Census Code No.
*Umbergaon	1
Kalgaon	2
Kalai	3
Govad	4
Tadgaon	6
Dehari	7
Nargol	8
Phansa (whole)	9
Mamakwada	11
*Maroli	12
Saronda	13
Achhari	14
Angaon	15
Ahu	16
Eklahare	17
Kachigaon	18
Bhati Karambeli	19
Karambeli Pali	20
Karambele	21
*Khattalwada	22
Ghimse Kakaria	23

Name of Village	Census Code No.
Jamburi	24
Tembhi	25
Tumb	26
Dahad	27
Nahuli	28
Palgaon	29
Pali	30
Punat	31
Borigaon Tarf Kachigaon	32
Borlai	33
Bhilad	34
Manda	35
Manikpur	36
Mohan	37
Vankas	38
Valvada	39
Shirgaon	40
Sanjan	41
Sarai	42
Solsumba	43
Humran	44
Dehali	48
Talwada	49
Dhanoli	45
Nandgaon	51
Malav	52
Anklas	55
Zaroli	67
Nagvas	70

NOTE.—*Includes towns of the same name.

PART II

WEST KHANDESH DISTRICT NAWAPUR TALUKA

Name of Village	Census Code No.
Abhankuwa (Forest)	—
Anandpur	2
Babarghat	3
Bhadbunja	6
Bhint Bk.	11
Bhint Khurd	12
Chacharbunde	18
Chadhavbunde (Forest)	—
Chhaptri	19
Chikhli (Forest)	—
Dhaj	27
Haripur	35
Jamaki	38
Jamane	36
Kachali	39
Kamalapur	41
Kataswan	48
Khabade	50
Kokambe (Forest)	—
Manikpur	68
Mirkot	70
Mogarbara (Forest)	72
Mograni (Forest)	—
Nanchhal	75
Narayanpur	77
Nurabad	82
Pakhari	83
Parchuli	86
Pethapur	89
Sakarde (Digar)	94

Name of Village	Census Code No.	Name of Village	Census Code No.
Sase	96	Itwai	59
Shelud	101	Javali	63
Sundarpur	106	Kenwada	78
Thuti	108	Kevadamoi	79
Uchhal	111	Khairpada	84
Vadadhe Kd.	115	Khanore	85
Vadapatal	117	Khokwad	91
Zaranpada	123	Koktipada	94
		Kolwan	95
Nandurbar taluka		Langadi	104
Adade	2	Medhi	111
Anturli	5	Nawagaon (G)	120
Arkunda (Forest)	—	Nevadi (Amba)	126
Bhilbhayali	19	Palaswada	132
Bhiljamboli	20	Pana	133
Borathe	25	Parod	135
Borde	23	Parodi	136
Chinchode	28	Patipada	138
Chorgaon (Deserted)	28A	Pimparipada (R)	143
Debhale	31	Ranipur	150
Dev Mogra-Gaibi UMBER (Forest village		Ranjaniwad	152
Coupe Nos. 1, 2		Rundigavan	156
and 20 of felling		Uman	176
series XX and		Umja	175
Coupe Nos. 1 to 9		Umran	180
of felling series		Vadgav	189
XXI).		Zapa-amli	196
		Ziribeda	197
Gamadi	39		
Gujarpur	43	Taloda taluka	
Harduli (Digar)	44	Akkalutar	1
Hatnoor (Digar)	46	Amode Tarf Satone	6
Hungani (Digar)	48	Amode T. Taloda	7
Kavithe	63	Asapur	10
Khairave Kd. T. Dhanore	65	Ashrave	11
Khodade	69	Ashte T. Budhawal	13
Kothali Budruk	77	Bahurupe	14
Lakhmikhede	79	Balade	16
Lekurwali	80	Balambe	15
Mubarakpur	86	Bej	20
Nasarpur	93	Bhamsal	21
Newale	96	Borikuva	25
Nizar	99	Chirmati	31
Pimplod T. Nisar	108	Chokhiamali	33
Raigad	109	Fulwadi	90
Raikhadkale (Deserted)	112A	Gadid	41
Sarvale	115	Gorsase	44
Shale	119	Hatode	47
Shelu	121	Hol	48
Sulvade	125	Kelani	56
Tapikhadkale	128	Kondaraj	64
Vadali	136	Kukurkunde	66
Vake	143	Mohammadpur (Deserted)	70A
Velade	149	Matawal	73
Vyawal	154	Mendhpur	74
		Modale	77
PART III		Morambe	80
WEST KHANDESH DISTRICT		Nimbhore	84
Akkalkuwa Taluka		Panibare	87
Name of Village	Census Code No.	Pati	89
Akkalkuwa Budruk	1	Pimplas	91
Anghat	6	Pisawar	93
Barktura	15	Rajpur	95
Bhogwad	23	Ranaichi	98
Chatwad	32	Sadgaven	106
Choti Korali (Deserted)	35A	Satole	108
Davariamba	37	Torande	120
Dogaripada (G)	44	Tulse	122
Gangtha	50	Ubhad	123

Name of Village	Census Code No.
Untavad	126
Varpade	128
Vesgaon	129
Zumkati	131

THE SECOND SCHEDULE

(See section 7)

PART I

Maharashtra Members of the Council of States
Members whose term of office expires on the 2nd April 1962

1. Shri P. N. Rajabhoj.
2. Dr. Waman Sheodas Barlingay.
3. Shri T. R. Deogirikar.
4. Shri G. R. Kulkarni.
5. Shri Dhairyashilrao Yeshwantrao Paawar.
6. Shri M. D. Tumpalliwar.

Members whose term of office expires on the 2nd April, 1964

7. Shri Babubhai M. Chinai.
8. Shri Ramrao Madhaorao Deshmukh.
9. Shri Bhaurao Dewaji Khobaragade.
10. Shri Sonusing Dhansing Patil.
11. Shri Lalji Pendse.
12. Shri Abid Ali.

PART II

GUJARAT MEMBERS OF THE COUNCIL OF STATES

Members whose term of office expires on the 2nd April, 1962

1. Shri Jadavji Keshavji Modi.
2. Professor Dr. Raghu Virar.
3. "Vacant".

Members whose term of office expires on the 2nd April, 1964

4. Shri Rohit Manushankar Dave.
5. Shri Khandubhai K. Desai.
6. Shri Dahyabhai Vallabhshai Patel.

THE THIRD SCHEDULE

(See section 11)

AMENDMENTS TO THE FIRST SCHEDULE TO
THE DELIMITATION OF PARLIAMENTARY
AND ASSEMBLY CONSTITUENCIES
ORDER, 1956

(1) For the heading "4-BOMBAY", substitute "4-GUJARAT".

(2) In entry 111, after the word "Pardi", insert the word "Umbergaon" and for the words "Surat district", substitute the words "Surat district; and Dangs district".

(3) After entry 111, add the following Note:—

"Note.—Any reference in this Part to Broach, Surat or Dangs district or to Songadh or Umbergaon taluka of Surat district or to Sagbara taluka of Broach district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960".

(4) Immediately before entry 112, insert the heading "4 A-MAHARASHTRA".

(5) In entry 129, omit the words "Dangs district;"

(6) To the note after entry 148, add:—

"(3) Any reference in this Part to Thana or West Khandesh district or to Nawapur, Nandurbar, Akalkuwa or Taloda taluka of West Khandesh district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960."

(7) In the Appendix—

(a) for the heading "II-Bombay", substitute "II-Gujarat"; and

(b) immediately before the sub-heading "KOLABA District", insert the head "II-A MAHARASHTRA".

THE FOURTH SCHEDULE

(See section 14)

AMENDMENTS TO THE SECOND SCHEDULE TO
THE DELIMITATION OF PARLIAMENTARY
AND ASSEMBLY CONSTITUENCIES
ORDER, 1956

(1) For the heading "4-BOMBAY", substitute "4-GUJARAT".

(2) In entry 103, for the words "Sagbara mahal", substitute "Sagbara taluka".

(3) For the sub-heading "SURAT DISTRICT" appearing before entry 106, substitute the sub-heading "SURAT AND DANGS DISTRICTS".

(4) In entry 114, for the words "Bansda taluka;", substitute the words "Dangs district; Bansda taluka;"

(5) In entry 118, for the words "Pardi taluka" in column 3, substitute the words "Pardi and Umbergaon talukas".

(6) After entry 118—

(a) add the following Note:—

"Note.—Any reference in this Part to Broach, Surat or Dangs district or to Sagbara taluka of Broach district or to Songadh or Umbergaon taluka of Surat district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960."

(b) after the said Note, insert an Appendix reproducing items (1) to (33) of the existing Appendix to Part 4 of the Order.

(7) Immediately before the sub-heading "GREATER BOMBAY DISTRICT", insert the heading "4-A MAHARASHTRA" to make all following entries, together with the Appendix and Annexure, a separate Part for the State of Maharashtra.

(8) Omit the asterisk mark before the sub-heading "Greater BOMBAY DISTRICT" and foot-notes 1 and 2.

(9) In entry 143, for the words "Dahanu and Umbergaon talukas", substitute the words "Dahanu taluka".

(10) For the sub-heading immediately before entry 228, for the words "NASIK AND DANGS DISTRICTS", substitute "NASIK DISTRICT".

(11) In entry 230, for the words "Peint and Surgana mahals", substitute the words "Pent mahal".

(12) In entry 231, for the word "Dangs" in column 2, substitute the word "Kalwan" and for the words "Dangs district;" in column 3, substitute the words "Surgana mahal".

(13) In entry 238, for the entry in column 3, substitute "Sakri and Nandurbar talukas".

(14) In entry 239, for the entry in column 3, substitute "Nawapur taluka".

(15) For the Note appearing immediately after entry 39, substitute:—

Note.—(1) Any reference in this Part to Thana or West Khandesh district or to Dahanu taluka of Thana district or to Nawapur, Nandurbar, Akalkuwa or Taloda taluka of West Khandesh district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960.

(2) The names of the 77 census wards of Greater Bombay are set out in item (1) of the Appendix; and a fuller description of the Assembly constituencies Nos. 1 to 21 in terms of roads, streets and other thoroughfares and of villages is given item (2) of the Appendix.

(3) The names of the villages in Banoti and Soegaon circles referred to in the Assembly constituencies No. 220 and 221, respectively, are set out in the Annexure to this Part."

(16) Renumber entries 119 to 239 as entries 1 to 221 respectively, and the references in those entries to items (36) to (71) and (73) to (79) of the Appendix as (3) to (45) respectively.

(17) In the Appendix,—

(a) omit items (1) to (33) and the sub-headings thereof;

(b) renumber items (34) to (71) as items (1) to (38) respectively;

(c) omit item (72);

(d) renumber items (73) to (79) as items (39) to (45) respectively; and

(e) in item (2) as so renumbered, renumber the references to Assembly constituencies Nos. 119 to 139 as Nos. 1 to 21 respectively.

THE FIFTH SCHEDULE

(See section 22)

AMENDMENTS TO THE DELIMITATION OF COUNCIL CONSTITUENCIES (BOMBAY) ORDER, 1951

(1) In paragraph 2, for the word "Bombay" substitute the word, "Maharashtra".

(2) In the Table omit

(a) the entries relating to—

(i) Gujarat (Graduates) constituency;

(ii) Gujarat (Teachers) constituency;

(iii) Saurashtra (Local Authorities) constituency;

(iv) Gujarat North (Local Authorities) constituency;

(v) Gujarat South (Local Authorities) constituency; and

(b) the word "Dangs" wherever it occurs in column 2.

(3) In the Table, in column 2,—

(a) against "Vidarbha (Graduates)" in column 1, for "Bhandara and Chanda districts", substitute "Bhandara, Chanda and Rajura districts";

(b) against "Vidarbha (Teachers)" in column 1, after "Chanda", insert "Rajura";

(c) against "Vidarbha (Local Authorities)" in column 1, for "Bhandara and Chanda districts", substitute "Bhandara, Chanda and Rajura districts".

THE SIXTH SCHEDULE

[See section 23(1)]

SITTING MEMBERS WHO SHALL CEASE TO BE MEMBERS OF THE BOMBAY LEGISLATIVE COUNCIL

(i) Members representing any of the five constituencies specified in item (2)(a) of the Fifth Schedule.

(ii) The following members elected by the members of the Bombay Legislative Assembly, namely:—

1. Shri Dadoobhai Amin.
2. Shri Chandrakant Chhotatal Mehta.
3. Shri Gulam Haider Walimohammed Momin.
4. Shrimati Madinabai Akbarbhai Nagori.
5. Shrimati Bhanumatiben Manilal Parekh.
6. Shrimati Anasuya Chhotatal Shah.
7. Shrimati Jyotsnaben Bahusukhram Shukla.

THE SEVENTH SCHEDULE

(See section 26)

AMENDMENTS OF THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

(1) For paragraph 4, substitute:—

"4. Any reference in this Order, except Parts VI and VII-A, of the Schedule, to a State or to a district or other territorial division thereof, shall be construed as a reference to the State, district or other territorial division, constituted as from the 1st day of November, 1956; and any reference in Parts IV and VII-A of the Schedule to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division constituted as from the 1st day of May, 1960".

(2) For Part IV, substitute the following:—

"PART IV.—GUJARAT

1. Throughout the State except the Rajkot Division and the district of Kutch:—

1. Ager
2. Bakad or Bant
3. Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chambhar, Chamgar, Haralayya, Harali, Khalpa, Machigar, Mochigar, Madar, Madig, Telgu Mochi, Kamati Mochi, Ranigar, Rohidas, Rohit or Sangar
4. Bhangi, Mehtar, Olgana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar or Zadmalli
5. Chavadi or Channayya
6. Chenna Dasar or Holaya Dasar.
7. Dhor, Kakkayya or Kankayya
8. Garoda or Garo
9. Halleer
10. Halsar, Haslar, Hulasvar or Halasvar
11. Holar or Valhar
12. Holaya or Holder
13. Lingader
14. Mahar, Taral or Dhegu Megu
15. Mahyavanshi, Dhed, Vankar or Maru Vankar
16. Mang, Matang or Minimadig
17. Mang-Garudi
18. Meghval or Menghvar
19. Mukri
20. Nadia or Hadi
21. Pasi
22. Shenva, Chenva, Sedma or Rawat
23. Tirgar or Tirbanda
24. Turi.

2. In the district of Dangs and Umbergaon taluka of Surat district:—

Mochi.

3. In the Rajkot Division:—

1. Bawa (Dedh) or Dedh-Sadhu

2. Bhangi or Rukhi
 3. Chamadia
 4. Chamar, Nalia or Rohit
 5. Dangashia
 6. Garoda
 7. Garmatang
 8. Hadi
 9. Meghwal
 10. Senva
 11. Shemalia
 12. Thori
 13. Turi
 14. Turi-Barot or Dedh-Barot
 15. Vankar, Dhedh or Aptiyaj.
4. In the district of Kutch:—
1. Bhangi.
 2. Chamar
 3. Garoda
 4. Meghwal
 5. Turi
 6. Turi-Barot.

(3) After Part VII, insert the following:—

"PART VII-A.—MAHARASHTRA

1. Throughout the State *except* the districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara, Chanda, Aurangabad, Parbhani, Nanded, Bhir Osmanabad and Rajura:—

1. Ager
2. Baked or Bant
3. Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chambhar, Chamgar, Haralayya, Harali, Khalpa, Machigar, Mochigar, Madar, Madig, Mochi, Telegu Mochi, Kamati Mochi, Ranigar, Rohidas, Rohit or samgar
4. Bhangi, Mehtar, Olgana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar or Zadmalli
5. Chalvadi or Channayya
6. Chenna Dasar or Holaya Dassari
7. Dhor, Kakkayya or Kankayya
8. Garoda or Garo
9. Halleer
10. Halsar, Haslar, Hulasvar or Halasvar
11. Holar or Valhar
12. Holaya or Holer
13. Lingader
14. Mahar, Taral or Dhegu Megu
15. Mahyavanshi, Dhed, Vankar or Maru Vankar
16. Mang, Matang or Minimadig
17. Mang-Garudi
18. Meghwal or Menghvar
19. Mukri
20. Nadia or Hadi
21. Pasi
22. Shenva, Chenva, Sedma or Ravat
23. Tirgar or Tirbanda
24. Turi

2. In the district of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda:—

1. Bahna or Bahana
2. Balahi or Balai
3. Basor, Burud, Bansor or Bansodi
4. Chamar, Chamari, Mochi, Nona, Rohidas, Ramnami, Satnami, Surjyabanshi or Surjyaramnami
5. Dom or Dumar
6. Dohor
7. Ganda or Gandi

8. Ghasi or Ghasia
 9. Kaikadi
 10. Katia or Patharia
 11. Khatik, Chikwa or Chikvi
 12. Madgi
 13. Mahar or Mehra
 14. Mang, Dankmi-Mang, Mang Mahashi, Mang-Garudi, Madari Garudi or Radhe-Mang.
 15. Mehtar or Bhangi
 16. Sansi
3. In the districts of Akola, Amravati and Buldana:—
Bedar.
4. In the district of Bhandara:—
1. Chadar
 2. Holiya.
5. In the districts of Bhandara and Buldana:—
Khangar, Kanera or Mirdha.
6. In the districts of Amravati, Bhandara and Buldana:—
Kori
7. In the districts of Aurangabad, Parbhani, Nanded, Rajura, Bhir and Osmanabad:—
1. Anamuk
 2. Aray (Mala)
 3. Arwa Mala
 4. Beda (Budga) Jangam
 5. Bindla
 6. Byagara
 7. Chalvadi
 8. Chambhar
 9. Dakkal (Dokkalwar)
 10. Dhor
 11. Ellamalwar (Yellammalawandlu)
 12. Holey
 13. Holey Dasari
 14. Kolupulvandlu
 15. Madiga
 16. Mahar
 17. Mala
 18. Mala Dassari
 19. Mala Hannai
 20. Malajangam
 21. Mala Masti
 22. Mala Sale (Netkani)
 23. Mala Sanyasi
 24. Mang
 25. Mang Garodi
 26. Manne
 27. Mashti
 28. Mehtar
 29. Mitha Ayyalvar
 30. Mochi
 31. Samagara
 32. Sindhollu (Chindollu)".

THE EIGHTH SCHEDULE *

(See section 27)

**AMENDMENT OF THE CONSTITUTION
(SCHEDULED TRIBES) ORDER, 1950**

(1) For paragraph 3, substitute:—

"3. Any reference in this Order, except Parts IV and VII-A of the Schedule, to a State or to a district or other territorial division thereof, shall be construed as a reference to the State, district or other territorial division, constituted as from the 1st day of November, 1956; and any reference in Parts IV and VII-A of the Schedule to a State or to a district or other territorial division thereof shall be construed as a

reference to the State, district or other territorial division, constituted as from the 1st day of May, 1960."

(2) For Part IV, substitute the following:—

"PART IV.—GUJARAT

1. Throughout the State *except* the Rajkot Division and the district of Kutch:—

1. Barda
2. Bavacha or Bamcha
3. Bhil, including Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri, Garasia, Mewasi Bhil, Rawal Bhil, Tadvil Bhil, Bhagalia, Bhilala, Pawra, Vasava and Vasave
4. Chodhara
5. Dhanka, including Tadvil, Tetaria and Valvi
6. Dhodia
7. Dubla, including Talavia or Halpati
8. Gamit or Gamta or Gavil, including Mavchi, Padvi, Vasava, Vasave and Valvi
9. Gond or Rajgond
10. Kathodi or Katkari, including Dhor Kathodi or Dhor Katkari and Son Kathodi or Son katkari
11. Kokna, Kokni, Kukna
12. Koli, Dhor, Tokre Koli, Kolcha or Kolgha
13. Naikda or Nayaka, including Cholimvala Nayaka, Kapadia Nayaka, Mota Nayaka and Nana Nayaka
14. Pardhi, including Advichincher and Phanse Pardhi
15. Patelia
16. Pomla
17. Rathawa
18. Varli
19. Vitolia Kotwalia or Barodia.

2. In Dangs district, Kunbi.

3. In Surat District:—

(a) in Umbergaon taluka, Koli Malhar, Koli Mahadev or Dongar Koli;

(b) in the other talukas, Chaudhri.

4. In the Rajkot Division, Siddi.

5. In Nesses area in the forests of Alech, Gir and arada:—

1. Bharwad
2. Charan
3. Ravari.

6. In Surendranagar district:—
Padhar

7. In Kutch district:—

1. Bhil
2. Dhodia
3. Koli
4. Paradhi
5. Vaghri

(3) After Part VII, insert the following:—

"PART VII-A.—MAHARASHTRA

1. Throughout the State *except* the districts of ~~uldaga~~, Akola, Amravati, Yeotmal, Wardha, Nagpur, handara, Chanda, Aurangabad, Parvhani, Nanded, hir, Osmanabad and Rajura:—

1. Barda
2. Bavacha or Bamcha
3. Bhil, including Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvil Bhil, Bhagalia, Bhilala, Pawra Vasava and Vasave
4. Chodhara

5. Dhanka, including Tadvil, Tetaria and Valvi
6. Dhodia
7. Dubla, including Talavia or Halpati
8. Gamit or Gamta or Gavil, including Mavchi, Padvi, Vasava, Vasave and Valvi
9. Gond or Rajgond
10. Kathodi or Katkari, including Dhor Kathodi or Dhor Katkari and Son Kathodi or Son Katkari
11. Kokna, Kokni, Kukna
12. Koli Dhor, Tokre Koli, Kolcha or Kolgha
13. Naikda or Nayaka, including Cholimvala Nayaka, Kapadia Nayaka, Mota Nayaka and Nana Nayaka
14. Pardhi, including Advichincher and Phanse Pardhi
15. Patelia
16. Pomla
17. Rathawa
18. Varli
19. Vitolia, Kotwalia or Barodia.

2. In Thana district:—
Koli Malhar.

3. (a) In Ahmednagar district:—
Akola, Rahuri and Sangamner talukas.

(b) In Kolaba district:—
Karjat, Khalapur, Alibagh, Mahad and Sudhagad talukas.

(c) In Nasik district:—

Nasik, Niphad, Sinnar, Chandor, Baglan, Igatpuri, Dindori and Kalvan talukas and Surgana and Peint Mahals.

(d) In Poona district:—

Ambegaon, Junnar, Khed, Mawal and Mulshi alukas and Velhe Mahal

(e) In Thana district:—

Thana, Mubad, Bhivandi, Bassein, Wada, Shahapur, Dahanu, Palghar, Jawhar and Mokhada talukas.

Koli
Mahadev
or Dongar
Koli.

Kolli
Mahadev
KDongar
oli

4. (a) In Ahmednagar district:—

Akola, Rahuri and Sangamner talukas.

(b) In Kolaba district:—

Karjat, Khalapur, Pen, Panvel and Sudhagad talukas and Matheran

(c) In Nasik district:—

Igatpuri, Nasik and Sinnar talukas.

(d) In Poona district:—

Ambegaon, Junnar, Khed and Mawal talukas

(e) In Thana district:—

Thana, Kalyan, Murbad, Bhivandi, Bassein, Wada, Shahapur, Palghar, Jawhar and Mokhada talukas

Thakur or
Thakar in-
cluding Ka
Thakur, Ka
Thakar,
Ma Thakur
and Ma
Thakar.

5. In (1) Melghat tahsil of Amravati district, (2) Gadchiroli and Sironcha tahsils of the Chanda district, (3) Kelapur, Wani and Yeotmal Tahsils of the Yeotmal district:—

1. Andh
2. Baiga
3. Bhaina
4. Bharia-Bhumia or Bhuinhar-Bhumia including Pando

5. Bhatta
6. Bhil
7. Bhunjia
8. Binjhar
9. Birhul or Birhor
10. Dhanwar
11. Gadaba or Gadba
12. Gond, including—
 - Arakh or Arrakh
 - Agaria
 - Asur
 - Badi Maria or Bada Maria
 - Bhatola
 - Bimma
 - Bhuta, Koilabhuta or Koilabhuti
 - Bhar
 - Bisonhorn amaria
 - Chota Maria
 - Dandami Maria
 - Dhuru or Dhurwa
 - Dhoba
 - Dhalia
 - Dorla
 - Gaiki
 - Gatta or Gatti
 - Gaita
 - Gond Gowari
 - Hill Maria
 - Kandra
 - Kalang
 - Khatola
 - Koitar
 - Koya
 - Khirwar or Khirwara
 - Kucha Maria
 - Kuchaki Maria
 - Madia (Maria)
 - Mana
 - Mannewer
 - Moghya or Mogia or Monghya
 - Mudia (Muria)
 - Nagarchi
 - Nagwanshi
 - Ojha
 - Raj
 - Sonjhari Jhareka
 - Thatia or Thotya
 - Wade Maria or Vade Maria
13. Halba or Halbi
14. Kamar
15. Kavar, Kanwar, Kaur, Cherwa, Rathia Tanwar or Chattri
16. Khairwar
17. Kharia
18. Kondh or Khond or Kandh
19. Kol
20. Kolam
21. Korku, including Bopchi, Mouasi, Nihal or Nahul and Bondhi or Bondeya
22. Korwa, including Kodaku
23. Majhwar
24. Munda
25. Nagesia or Nagasia
26. Nihal
27. Oraon, including Dhanka and Dhangad
28. Pardhan, Pathari and Saroti
29. Pardhi, including Bahelia or Bahellia, Chita Pardhi, Langoli Pardhi, Phans Pardhi, Shikari, Takankar and Takia
30. Parja

31. Saonta or Saunta
32. Sawar or Sawara.

6. In the districts of Aurangabad, Parbhani, Nanded, Rajura, Bhir and Osmanabad:—

1. Andh
2. Bhil
3. Gond (including Naikpod and Rajgond)
4. Kolam (including Mannervarlu)
5. Koya (including Bhine Koya and Rajkoya)
6. Pardhan
7. Thoti.

THE NINTH SCHEDULE

[See section 45(1)]

I—MODIFIED FORM OF SECTION 3 OF THE UNION DUTIES OF EXCISE (DISTRIBUTION) ACT, 1957

(1) Section 3 of the Union Duties of Excise (Distribution) Act, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

In the Table below section 3, for the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	..	..	8.07
Gujarat	..	..	4.10"

(2) For the purposes of calculating the amount payable under section 3 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the distributable Union duties of excise shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the distributable Union duties of excise for that financial year.

II—MODIFIED FORM OF SECTIONS 3 AND 5 OF THE ESTATE DUTY AND TAX ON RAILWAY PASSENGER FARES (DISTRIBUTION) ACT, 1957

A. DISTRIBUTION OF ESTATE DUTY

(1) Section 3 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

In clause (b) of sub-section (2), for the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	..	..	8.97
Gujarat	..	..	4.55"

(2) For the purposes of calculating the amount payable under sub-section (1) of section 3 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the total amount falling to be distributed shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the total amount falling to be distributed for that financial year.

B—DISTRIBUTION OF TAX ON RAILWAY PASSENGER FARES

(1) Section 5 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entry relating to Bombay, the following entries

shall be substituted, namely:—

"Maharashtra	10.80
Gujarat	5.48"

(2) For the purposes of calculating the amount payable under section 5 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the tax on railway passenger fares shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such tax for that financial year.

III. MODIFIED FORM OF THE SECOND SCHEDULE TO THE ADDITIONAL DUTIES OF EXCISE (GOODS OF SPECIAL IMPORTANCE) ACT, 1957

A—Distribution of additional duties on sugar

(1) In the second schedule, the Table at the end of Part I shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	8.07	162	13.37
Gujarat	4.10	83	6.80"

(2) For the purposes of calculating the amount payable under Part I of the Second Schedule to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the additional duties in respect of sugar shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such duties for that financial year; and in respect of that financial year, the sums specified in the third column of the Table shall be deemed to have been replaced by 20 for the first month in relation to Bombay and by 149 for the remaining eleven months in relation to Maharashtra and by 76 in relation to Gujarat.

B—Distribution of additional duties on Tobacco

(1) In the Second Schedule, the Table below paragraph 4 shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entries relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	8.07	76	11.54
Gujarat	4.10	39	5.87"

(2) For the purposes of calculating the amount payable under paragraph 4 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the additional duties on tobacco shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such duties for that financial year; and in respect of that financial year, the sums specified in the third column of the Table shall be deemed to have been replaced by 10 for the first month in relation to Bombay and by 70 for the remaining eleven months in relation to Maharashtra, and by 35 in relation to Gujarat.

C—Distribution of additional duties on textiles

(1) In the Second Schedule, the Table at the end of Part III shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	398	10.91
Gujarat	202	5.55"

(2) For the purposes of calculating the amount payable under Part III of the Second Schedule to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the additional duties in respect of cotton fabrics, rayon or artificial silk fabrics and woollen fabrics shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such duties for that financial year; and in respect of that financial year the sums specified in the second column of the Table shall be deemed to have been replaced by 50 for the first month in relation to Bombay and by 365 for the remaining eleven months in relation to Maharashtra, and by 185 in relation to Gujarat.

IV. MODIFIED FORM OF PARAGRAPH 3 OF THE CONSTITUTION (DISTRIBUTION OF REVENUES) NO. 2 ORDER, 1957

(1) Paragraph 3 of the Constitution (Distribution of Revenues) No. 2. Order, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

In the Table at the end of paragraph 3, for the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	10.59
Gujarat	5.38"

(2) For the purposes of calculating the amount payable under paragraph 3 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of taxes on income shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of taxes on income for that financial year.

THE TENTH SCHEDULE

[See section 47(2)]

1. Stores held for specific purposes such as for use or utilisation in particular institutions, workshops or undertakings or on particular works under construction shall pass to the State in which such institutions, workshops, undertakings or works are located on the appointed day.

2. Stores relating to Sachivalaya and offices of Heads of Departments having, immediately before the appointed day, jurisdiction over the whole of the State of Bombay shall remain the property of the State of Maharashtra:

Provided that typewriters, duplicators, clocks and vehicles shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

3. All other un-issued stores, pooled stores, and stores purchased on or after the 1st July, 1959, of any class shall be divided between the States of Maharashtra and Gujarat in proportion to the total stores of that class purchased in the period of three years ending with the 31st March, 1960 for the territories included respectively

in each of those States:

Provided that where such proportion cannot be ascertained in respect of any class of stores or where the value of any class of such stores does not exceed Rs. 10,000, that class of stores shall be divided between the two States according to the population ratio.

THE ELEVENTH SCHEDULE

(See section 59)

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS

1. Subject to the adjustments mentioned in paragraph 3, each of the States of Maharashtra and Gujarat shall, in respect of pensions granted by the State of Bombay before the appointed day, pay the pensions drawn in its treasuries.

2. Subject to the said adjustments, the liability in respect of pensions of officers serving in connection with the affairs of the State of Bombay who retire or proceed on leave preparatory to retirement before the appointed day, but whose claims for pensions are outstanding immediately before that day, shall be the liability of the State of Maharashtra.

3. There shall be computed in respect of the part of the financial year commencing on the appointed day and in respect of each subsequent financial year, the total payments made in each of the States of Maharashtra and Gujarat in respect of pensions referred to in paragraphs 1 and 2; that total, representing the liability of the State of Bombay in respect of pensions, shall be apportioned between the States of Maharashtra and Gujarat in the population ratio, and the State paying more than its due share shall be reimbursed the excess amount by the other State.

4. (1) The liability in respect of the pension of any officer serving immediately before the appointed day in connection with the affairs of the State of Bombay and retiring on or after that day, shall be that of the State which grants him the pension; but the portion of the pension attributable to the service of any such officer before the appointed day in connection with the affairs of the State of Bombay shall be allocated between the States of Maharashtra and Gujarat in the population ratio, and the Government which grants the pension shall be entitled to receive from the other Government its share of this liability.

(2) If any such officer was serving after the appointed day for some period in connection with the affairs of the State of Maharashtra and for some period in connection with the affairs of the State of Gujarat, the Government other than the one granting the pension shall reimburse to the Government by which the pension is granted an amount which bears to the portion of the pension attributable to his service after the appointed day the same ratio as the period of his qualifying service after the appointed day under the reimbursing State bears to the total qualifying service after the appointed day reckoned for the purposes of pension.

5. Any reference in this Schedule to a pension shall be construed as including a reference to the commuted value of the pension.

THE TWELFTH SCHEDULE

(See section 73)

1. The Bombay State Cooperative Bank Limited.
2. The Bombay State Cooperative and Mortgage Bank Limited.
3. The Bombay State Co-operative Housing Finance Society.
4. The Bombay State Industrial Co-operative

Association.

5. The Bombay State Co-operative Union.
6. Mumbai Rajya Sahakari Karkhana Sangh.

THE THIRTEENTH SCHEDULE

(See section 79)

1. J.J. College of Architecture, Bombay.
2. J.J. Institute of Applied Art, Bombay.
3. School of Printing Technology, Bombay.
4. Government Tanning Institute, Bombay.
5. Government Leather Working School, Bombay.
6. Veterinary College, Bombay.
7. R.A. Podar Medical College (Ayurvedic), Bombay.
8. C.E.M. Dental College, Bombay.
9. Haffkine Institute, Bombay.
10. Forensic Science Laboratory and Chemical Analysers Department, Bombay.
11. State Fire School, Ghatkopar, Bombay.
12. Secretariat Record Office, Bombay.
13. Mathematical Instruments Depot and Workshop, Bombay.
14. Drugs Testing Laboratory, Bombay.
15. Training Institute for Physical Education, Kandivli, Bombay.
16. J.J. School of Art, Bombay.
17. S.T. College, Bombay.
18. Jail Officers' Training School, Yeravda, Poona.
19. Alienation Office, Poona.
20. Government Photozinc Press, Poona.
21. Government Photo Registry, Poona.
22. Institute of Veterinary Biological Products, Poona.
23. Police Wireless Training Centre, Dapodi, Poona.
24. Public Health Institute, Nagpur.
25. Vaccine Institute, Nagpur.
26. Bombay State Hemp Drugs and Opium Packing and Supply Depot, Ahmedabad.
27. Police Training School, Nasik.

Assented to on 9-4-1960.

THE ORPHANAGES AND OTHER CHARITABLE HOMES (SUPERVISION AND CONTROL) ACT, 1960 (10 of 1960)

AN

ACT

to provide for the supervision and control of orphanages, homes for neglected women or children and other like institutions and for matters connected therewith.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the Orphanages and other Charitable Homes (Supervision and Control) Act, 1960.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "Board" means the Board of Control established

under section 5;

- (b) "certificate" means the certificate of recognition granted under section 15;
- (c) "child" means a boy or girl who has not completed the age of eighteen years;
- (d) "home" means an institution, whether called an orphanage, a home for neglected women or children, a widows' home, or by any other name, maintained or intended to be maintained for the reception, care, protection and welfare of women or children;
- (e) "manager" means a member of the managing committee appointed as such by the committee under section 20;
- (f) "managing committee" means the committee of management referred to in section 20;
- (g) "recognised home" means a home in respect of which a certificate has been granted;
- (h) "prescribed" means prescribed by rules made under this Act;
- (i) "woman" means a female who has completed the age of eighteen years.

3. *Act not to apply to certain institutions.*—Nothing in this Act shall apply to—

- (a) any hostel or boarding house attached to, or controlled or recognised by, an educational institution; or
- (b) any protective home established under the Suppression of Immoral Traffic in Women and Girls Act, 1956 (104 of 1956); or
- (c) any reformatory, certified or other school, or any home or workhouse, governed by any enactment for the time being in force.

4. *Effect of Act on instruments governing recognised homes.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any instrument governing a recognised home.

CHAPTER II

THE BOARD OF CONTROL AND ITS POWERS AND FUNCTIONS

5. *Board of Control, its constitution, etc.*—(1) The State Government may, by notification in the Official Gazette, establish a Board of Control for the supervision and control of homes in the State.

(2) The Board shall consist of the following members, namely:—

- (a) three members of the State Legislature to be elected by the members thereof; provided that where the State Legislature consist of two Houses, two members shall be elected by the members of the Legislative Assembly from among themselves and one member shall be elected by the members of the Legislative Council from among themselves;
- (d) five members of the managing committees in the State, to be elected by such committees from among themselves, each such committee having one vote only for this purpose;
- (c) the officer in charge of social welfare work in the state, to be nominated by the State Government.
- (d) six members to be nominated by the State Government, of whom not more than one shall be a member of Parliament from the State and not less than three shall be women.

(3) If for any reason the officer referred to in clause (c) of sub-section (2) is unable to attend any meeting of the Board, he may depute any officer subordinate to him to attend such meeting.

(4) The Chairman of the Board shall be elected by the members of the Board from among themselves:

Provided that at the time of the first constitution of the Board, one of the members of the Board shall be nominated by the State Government to be its Chairman.

6. *Term of office and casual vacancies.*—(1) Save as otherwise provided in this section, the term of office of a member of the Board shall be five years from the date of his election or nomination or until his successor has been duly elected or nominated, whichever is longer:

Provided that the term of office of a member elected under clause (a) or clause (b) of sub-section (2) of section 5, or of a member of Parliament nominated under clause (d) of sub-section (2) of section 5, shall come to an end as soon as he ceases to be a member of the House of the State Legislature which elected him, the managing committee or Parliament, as the case may be.

(2) A member may at any time resign his office by giving notice in writing to the State Government and on such resignation being notified in the Official Gazette by that Government, the seat of such member shall become vacant.

(3) A casual vacancy in the Board shall be filled by fresh election or nomination, as the case may be; and the term of office of a member elected or nominated to fill such vacancy shall be the remainder of the term of the member in whose place he is elected or nominated.

(4) Members of the Board shall be eligible for re-election or re-nomination.

(5) No act done or proceeding taken by the Board shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Board.

7. *Functions of the Board.*—(1) It shall be the duty of the Board to supervise and control generally all matters relating to the management of homes in accordance with the provisions of this Act; and exercise such other powers and perform such other functions as may be prescribed by or under this Act.

(2) In the performance of its functions under this Act, the Board shall be bound by such directions as the State Government may give to it.

8. *Power of the Board to give directions to manager of a recognised home.*—Subject to the directions, if any, given under sub-section (2) of section 7, the Board may, from time to time, give such general or special directions to the manager of a recognised home as it thinks fit for the efficient management of the home and the manager shall comply with such directions.

9. *Power of inspection.*—Any member of the Board, or any officer of the Board authorised in writing by it in this behalf, by general or special order, may enter at all reasonable times any home for the purpose of ascertaining whether the provisions of this Act or of any rules, regulations, directions or orders thereunder are being complied with and may require the production, for his inspection of any document, book, register or record kept therein and ask for any information relating to the working of the home:

Provided that no such member or officer shall enter any home or part thereof where there are females, except in the presence of two respectable women of the locality.

10. *Funds of the Board.*—The funds of the Board shall consist of—

- (a) contributions, subscriptions, donations or bequests made to it by any person; and
- (b) grants made to it by the State Government or any local or other public body.

11. *Staff of the Board.*—Subject to such rules as may be made by the State Government in this behalf, the Board may, for the purpose of enabling it to perform efficiently its functions or exercise its powers under this Act, appoint such officers or other employees as it may think fit and determine their functions and conditions of service.

12. *Delegation of powers.*—Subject to the control of the State Government, the Board may, by general or special order in writing and subject to such conditions and limitations, if any, as may be specified therein, delegate to the Chairman or any other member or any officer thereof such of its powers and functions under this Act, as it may deem necessary, for the efficient carrying on of its administration.

CHAPTER III

RECOGNITION OF HOMES

13. *Homes not to be run without certificate.*—After the commencement of this Act, no person shall maintain or conduct any home except under, and in accordance with, the conditions of a certificate of recognition granted under this Act.

14. *Application for certificate.*—Every person desiring to maintain or conduct a home shall make an application for a certificate of recognition to the Board in such form and containing such particulars as may be prescribed:

Provided that a person maintaining or conducting a home at the commencement of this Act shall be allowed a period of three months from such commencement to make an application for such certificate.

15. *Grant or refusal of certificate.*—(1) On receipt of an application under section 14, the Board, after making such inquiry as it considers necessary may, by order in writing, either grant a certificate or refuse to grant it.

(2) No order refusing to grant a certificate shall be made until an opportunity is given to the applicant to be heard in the matter and where a certificate is refused, the grounds for such refusal shall be communicated to the applicant in the prescribed manner.

(3) No fee shall be charged for the grant of a certificate.

(4) A certificate shall not be transferable.

16. *Contents of certificate.*—(1) The certificate shall specify—

- (a) the name and location of the recognised home;
- (b) the name of the manager thereof;
- (c) the nature of the home, whether for women generally or for widows or for children generally or for orphans or for one or more of these classes;
- (d) the number of inmates to be taken by the home;
- (e) the minimum standards regarding boarding, lodging, clothing, sanitation, health and hygiene which, having regard to the conditions of the locality in which the recognised home is situated and its resources, should be complied with in the home;
- (f) the standard of education or training to be provided for the inmates of the home, in case the education or training of its inmates is undertaken; and
- (g) such other conditions and particulars as may be prescribed:

Provided that there shall be deemed to be included in the certificate granted in respect of a home for females a condition to the effect that the person in charge thereof, whether called superintendent or by any other name, shall ordinarily be a woman.

(2) The Board shall not, ordinarily, permit any recognised home to admit as inmates, persons of different

sexes, but may do so for reasons to be recorded and subject to such conditions and limitations as may appear to it to be in the public interest.

(3) Without the previous written consent of the Board, no recognised home shall—

- (a) change its name or location as specified in the certificate in respect of it; or
- (b) alter the purpose of any service specified therein.

17. *Revocation of certificate.*—(1) The Board may, without prejudice to any other penalty to which a person to whom a certificate has been granted may be liable under this Act, revoke the certificate—

- (a) if it is satisfied that the home is not being conducted in accordance with the conditions laid down in the certificate; or
- (b) the management of the home is being persistently carried on in an unsatisfactory manner or is being carried on in a manner highly prejudicial to the moral and physical well-being of the inmates; or
- (c) the home has, in the opinion of the Board, otherwise rendered itself unsuitable for that purpose:

Provided that no order of revocation shall be made under this sub-section until an opportunity is given to the person to show cause why the certificate should not be revoked;

and in every case of revocation, the grounds therefor shall be communicated to the person in the prescribed manner.

(2) Where a certificate in respect of a home is revoked under sub-section (1), such home shall cease to function—

- (a) where an appeal has not been preferred under section 18 against the order of revocation, immediately on the expiration of the period prescribed for such appeal;
 - (b) where such appeal has been preferred, but the order of revocation is upheld, from the date of the appellate order.
- (3) On any home ceasing to function under sub-section (2), the Board may direct that any woman or child who is an inmate of such home shall be—

- (a) restored to the custody of her or his parent, husband or lawful guardian, as the case may be, or
 - (b) transferred to another recognised home, or
 - (c) entrusted to the care of any other fit person:
- Provided that no woman shall be entrusted to the care of any person other than a woman.

18. *Appeals.*—Any person aggrieved by an order of the Board refusing to grant a certificate or revoking a certificate may, in such manner and within such period as may be prescribed, prefer an appeal to the State Government or to such authority as may be specified by it against such refusal or revocation:

Provided that the State Government or the authority so specified, as the case may be, may admit an appeal after the expiry of the period so prescribed, if it is satisfied that the applicant was prevented by sufficient cause from preferring the appeal in time.

19. *Surrender of certificate and its effect.*—(1) The manager of a home, if specially authorised in this behalf by resolution of the managing committee, may, on giving six months' notice in writing to the Board of his intention so to do, apply for the withdrawal of the certificate granted in respect of that home and on the expiration of the said period from the date of notice, the certificate shall, unless before that time the notice is withdrawn, cease to have effect; and the home shall cease to function.

(2) No woman or child shall be received into any such home after the date of such notice; but nothing in

this section shall be construed to affect the obligation of the manager to comply with all the requirements of this Act and the rules, regulations, directions and orders thereunder until the certificate ceases to take effect under sub-section (1).

CHAPTER IV

MANAGEMENT OF RECOGNISED HOMES

20. Managing Committee.—(1) There shall be a managing committee in charge of the management of every recognised home and the members of the managing committee shall appoint a member thereof to be the manager of such home for the purposes of this Act.

(2) The constitution, powers and functions of the managing committee and the term of office of the members thereof shall be such as may be provided in the constitution pertaining to such home.

21. Duty of manager.—It shall be the duty of the manager to comply with all the requirements of this Act and the rules, regulations, directions and orders thereunder in respect of every woman or child admitted into the recognised home until the woman is rehabilitated or the child completes the age of eighteen years or until the certificate ceases to have effect.

22. Discharge of inmates of home.—(1) Subject to the regulations, if any, made by the Board, if the managing committee of a home is satisfied that an inmate of the home has become fit to earn his or her livelihood or is otherwise fit to be discharged from the home, the manager may discharge such inmate.

(2) Notwithstanding anything contained in sub-section (1), no female inmate of a home shall be discharged or given in marriage or entrusted to the care of any other person unless such female has made a declaration before the Board or an officer specified by it in this behalf that she consents to such discharge, marriage or entrustment, as the case may be, and, if the inmate to be given in marriage is a minor, unless the Board or officer, as the case may be, has, after recording the reasons in writing, given its or his approval thereto.

23. Reports regarding deaths of inmates.—The manager shall, immediately after the occurrence of any death among the inmates of the home, send a written report thereof to the Board explaining the cause of death to the best of his knowledge.

CHAPTER V MISCELLANEOUS

24. Penalties.—Any person who fails to comply with any of the provisions of this Act or of any rule, regulation, direction or order thereunder or any of the conditions of a certificate shall be punishable in the case of a first offence with imprisonment which may extend to three months or with fine which may extend to two hundred and fifty rupees or with both, and in the case of a second or subsequent offence, with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

25. Sanction for prosecutions.—No prosecution under this Act shall be instituted except with the previous sanction of the District Magistrate or the Chief Presidency Magistrate, as the case may be.

26. Persons performing functions under Act to be public servants.—The members of the Board and every person empowered by the Board to exercise any of its powers under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal

Code (45 of 1860).

27. Protection of acts done in good faith.—No suit, prosecution or other legal proceeding shall lie against any person who performs any function under this Act for anything done or intended to be done in good faith under this Act of any rule, regulation, direction or order thereunder.

28. Power of State Government to exempt homes.—(1) If, after consultation with the Board, the State Government is satisfied that the circumstances in relation to any class of homes or any home are such that it is necessary or expedient so to do, it may, by notification in the Official Gazette, and for reasons to be specified therein, exempt, subject to such conditions, restrictions or limitations, if any, as it may think fit to impose, such class of homes or home, as the case may be, from the operation of all or any of the provisions of this Act or of any rule or regulation made thereunder.

(2) Every notification issued under this section granting an exemption shall be reviewed in consultation with the Board at intervals not exceeding two years, but nothing herein contained shall affect the power of the State Government to amend, vary or rescind any such notification at any time in consultation with the Board.

29. Power of State Government to make rules.—(1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) all matters relating to, or in connection with, elections to the Board under clause (b) of sub-section (2) of section 5 and the election of the Chairman;
- (b) the disqualifications for membership of the Board and the procedure to be followed in removing a member who is or becomes subject to any disqualification;
- (c) the funds of the Board;
- (d) the travelling and other allowances to be drawn by members of the Board;
- (e) the appointment of staff for enabling the Board to perform its functions efficiently under this Act and their recruitment and conditions of service;
- (f) the calling of returns and other information by the State Government from the Board and the managing committee;
- (g) the form in which an application for certificate of recognition may be made, the particulars to be contained in such application and the form in which, and the conditions subject to which, such certificate may be granted;
- (h) the maintenance of registers and accounts by the Boards and the audit of its accounts;
- (i) any other matter which is to be, or may be, prescribed.

(3) All rules made under this Act shall, as soon as may be after they are made, be laid before the State Legislature.

30. Power of the Board to make regulations.—(1) The Board may, with the previous approval of the State Government, by notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made thereunder, for enabling it to perform its functions under this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may

provide for all or any of the following matters, namely:—

- (a) the time and place of the meetings of the Board, the procedure to be followed in regard to the transaction of business at such meetings and the quorum necessary for the transaction of business at such meetings;
- (b) the maintenance of the minutes of meetings of the Board and the transmission of copies thereof to the State Government;
- (c) the appointment of sub-committees and local committees and of persons by the Board for the purpose of assisting it in performing its functions under this Act;
- (d) the supervision and control of the management of recognised homes;
- (e) the inspection of homes;
- (f) the calling of returns and other information by the Board from managing committees;
- (g) the reception, care, treatment, maintenance, protection, training, welfare, instruction, control and discipline of inmates in recognised homes;
- (h) visits to, and communication with, inmates of recognised homes and the grant of permission to such inmates to absent themselves for short periods;
- (i) the discharge of inmates from recognised homes, their transfer from one recognised home to

another and the reports to be sent by managers to the Board;

- (j) any other matter in respect of which provision is, in the opinion of the Board, necessary for the efficient supervision and control of homes.

(3) The State Government may, by notification in the Official Gazette, amend, vary or rescind any regulation which it has approved; and thereupon the regulation shall have effect accordingly, but without prejudice to the exercise of the powers of the Board under sub-section (1).

31. Repeals and savings.—(1) As from the date of the coming into force in any State of this Act, the Women's and Children's Institutions (Licensing) Act, 1956 (105 of 1956), or any other Act corresponding to this Act in force in that State immediately before such commencement, shall stand repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any direction given, any register or rule or order made or any restriction imposed) under the said Act shall, in so far as such thing or action is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the provisions aforesaid, as if they were in force when such thing was done or such action was taken, and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

Part II

OFFICE OF THE DISTRICT AND SESSIONS JUDGE SIMLA, KINNAUR AND BILASPUR DISTRICTS AT SIMLA

PUBLIC NOTICE

BE it known to all concerned that the entire records of all the then pending judicial cases as also some of the decided cases and all the current registers pertaining to the Court of the District and Sessions Judge, Simla, were destroyed by fire which gutted the Court Building during the night of 9th and 10th December, 1972.

The reconstruction of such records has since been started by the undersigned in his Court Room which has temporarily been housed in Christ Hall, The Ridge, Simla. All persons interested in the reconstruction of such records and those who are in a position to assist in such reconstruction are requested to contact the undersigned in the above mentioned premises on any working day during 10.00 A.M. to 4.00 P.M.

T. R. HANDA,

Dated: 15.1.1973.

District and Sessions Judge.

INDUSTRIES DEPARTMENT

FORM 'H'

DECLARATION UNDER SECTION 24 OF THE ACT Solon, the 30th December, 1972

No. UM (LOAN)-9/.—Whereas a notice was served on Shri Chander Prakash Shastri s/o Shri Shish Ram, Pines View, Solon on the 6-1-1971 under section 23 of the Punjab State Aid to Industries Act, 1935, as modified and applied to Himachal Pradesh calling upon the said Chander Prakash to pay to me the sum of Rs. 1428.56 paise on or before the 24-1-1971 and whereas the said sum has not been paid, I hereby declare that the sum of Rs. 1428.56 paise is due from the said Shri Chander Prakash and that the property described in the attached schedule is liable for the satisfaction of the said debt.

SCHEDULE

1. Shri Vidya Datt s/o Shri Bhaitu, r/o village Parag, Tehsil Solon, land two bighas situated at village Parag.
2. Shri Budhi Ram Verma s/o Shri Nand Ram, village Sharghal, Tehsil Theog, land ten bighas situated at village Sharghal, Tehsil Theog.

Sd/-

District Industries Officer, Solon.

FORM S.C. 5.

NOTICE OF PUBLICATION OF DRAFT SCHEME

In pursuance of the provision of sub-section (2) of section 7 of the Punjab Improvement Schemes Act, 1963, the District Land Improvement Committee, Una hereby publish the draft scheme prepared under sub-section (1) of the aforesaid section.

Notice of the publication of the scheme is hereby given in accordance with the provision of section 8 of the Act. All persons effected by the schemes who wish to make any claim or to submit any objection to the draft scheme may do so in writing or by appearing personally before the Inquiry Officer, Agriculture Inspector, Soil Conservation of the area concerned before or within thirty days of publication of this draft scheme.

DRAFT SCHEME PREPARED IN ACCORDANCE WITH SECTION 5 OF THE PUNJAB IMPROVEMENT SCHEMES ACT, 1963

DIVISION: BILASPUR TEHSIL: UNA DISTRICT: UNA HIMACHAL PRADESH

(i) *Objects of the scheme.*—Prevention of erosion of soil, preservation and improvement of soil, reclamation of waste land, construction of earthen and masonry work. Improvement of water supply.(ii) *The work or kind of work to be carried out under scheme.*—Allied soil conservation works.(iii) *Agency or agencies by which the work shall be carried out.*—Department or by owner.(iv) *Conditions according to which the work shall be carried out.*—50 per cent of the total expenditure on the soil conservation works will be treated as loan and this will be recovered with interest as may be fixed by the Government, in 12 equal instalments starting from the sixth year of drawal of loan.

Serial No.	Scheme No.	Name of Village	Approximate land to which the scheme will apply					
			K. M.		Private land	Govt. land	Total	
					K.	M.	K.	M.
1.	UNA/KGR-G-175/72-73	Pandoga	8216/5772, 5770, 6454, 6455, 8275, 6456, 8215/5772.	131	13	—	131	13
2.	UNA/KGR-U-176/72-73	Jankaur	331 and 24	127	5	—	127	5
3.	UNA/KGR-U-177/72-73	Santokhgarh	16/32, 20/21, 9/4, 12/1, 19/5, 16/22/2.	21	11	—	21	11
4.	UNA/KGR-U-178/72-73	Rampur	1919, 1921 to 1923, 2108, 2109, 1944, 1945, 1863, 1865, 1866, 1943, 1947, 1879, 1911, 1930, 1941, 2037, 2038, 2066, 2094, 2095, 1815, 1819, 1820.	70	13	—	70	13
5.	UNA/KGR-A-179/72-73	Amb	2938, 2932, 2931, 2927, 2930/1, 2939, 2949, 2952, 2957 min.	26	13	—	26	13
6.	UNA/KGR-G-180/72-73	Daulatpur	17/16/2, 17, 18/2, 23/2, 23/1, 23/3, 24, 25, 24/4, 5 min, 7.	54	11	—	54	11
7.	UNA/KGR-U-181/72-73	Fatehpur	13/17/2, 18/1/2, 18 14/13, 14 min, 19/1 min, 14/17/2, 18, 23 min, 14/17/1, 13/23/1, 13/19/2, 20, 14 14 min, 15/2, 13/11/1/2, 14/15/2 min, 14/12/2, 19/1, 23 min, 14/22, 24/2.	92	10	—	92	10
8.	UNA/KGR-G-182/72-73	Baroh	27/5/1, 27/4/1, 23/1, 28/5/4, 14/25/1, 27/1/2, 2/2, 27/4/2, 7/6, 14/21, 23/2, 14/24, 27/10/1, 27/1/4, 9, 28/4/2, 5/1, 6/2, 6/4, 27/3/2.	66	3	—	66	3
9.	UNA/KGR-G-183/72-73	Daulatpur	16/11, 20, 21/1, 17/15/3, 16/1	25	7	—	25	7
10.	UNA/KGR-A-159/71-72	Gondpur Banehra.	1183, 1155/1, 1182, 1171/1, 1192/1, 1191/1, 1190/1, 1189/1, 1188/1, 1185, 1184, 1172, 1154, 1173, 1149, 1151, 1153.	66	0	—	66	0
11.	UNA/KGR-U-186/72-73	Nangran	15/1 and 14/4	59	15	—	59	15
12.	UNA/KGR-U-189/72-73	Basoli	5480/672, 287, 313, 6090/286, 6089/286, 6091/286, 5481/672, 312.	33	2	—	33	2
13.	UNA/KGR-G-184/72-73	Badhera	7864, 7865, 7866	68	19	—	68	19

Sd/-

Secretary,

District Land Improvement Committee, Una.

फॉर्म नं० सं० 5

प्रारूप प्रयोजना के प्रकाशन की सूचना

पंजाब भूमि सुधार प्रयोजना अधिनियम, 1963 की धारा 7 की उपधारा (2) के उपबन्धों के अनुसरण में जलभूमि सुधार समिति अना एतद्द्वारा पूर्वोक्त धारा की उपधारा (1) के अधीन तैयार की गई प्रयोजना प्रकाशन करती है।

प्रयोजना के प्रकाशन की सूचना एतद्वारा अधिनियम की धारा 8 के उपबन्धों के अनुसार दी जाती है। प्रयोजना से प्रभावित सभी व्यक्ति जोकि प्रारूप के बारे किमी प्रकार का दावा करना चाहें या कोई आपत्ति करना चाहें तो जांच अधिकारी, एग्रीकल्चर इन्स्पेक्टर, मायन कन्जरवेशन जोकि आपके क्षेत्र का है के सम्मुख इस प्रयोजना के प्रकाशन होने के बाद 30 दिन के अन्दर 2 या इससे पहले लिखित या व्यक्तिगत रूप में ऐसा कर सकते हैं।

पंजाब भूमि सुधार प्रयोजना अधिनियम, 1963 की धारा 5 के प्रकाशन की सूचना एतद्वारा अधिनियम के अनुसार तैयार की गई प्रारूप प्रयोजना नीचे दी गई है।

फार्म एम0 सी0 4

पंजाब भूमि सुधार प्रयोजना की धारा के अनुसार तैयार की गई प्रारूप प्रयोजना धारा 1963

(1) प्रयोजना के उद्देश्य.—(1) भूक्षरण से बचाव, भूमि सुधार, बंजर भूमियों को आबाद करना, मिट्टी व पत्थर का काम, सिंचाई के साधनों का सुधार।

(2) प्रयोजना के अधीन किये जाने वाले कार्य.—हर प्रकार की भूमि कार्यों का निर्माण।

(3) एजेंसी या एजेंसियां जिनके द्वारा कार्य किया जावेगा.—विभागीय या भूमि मालिकों द्वारा।

(4) शर्तें जिनके द्वारा कार्य किया जायेगा.—कुल खर्च का आधा भाग जो कि भूमि सुधार के कार्यों में खर्च होगा कर्जों के रूप में 10 वर्षों के वार्षिक किस्तों में व्याज सहित सरकार द्वारा निश्चित व्याज की दर के अनुसार किया जायेगा। किस्त राशि निकालने के पांच वर्षों बाद आरम्भ होगी।

मण्डल: विलासपुर

क्रम अंख्या	सीम नम्बर	गांव	वह क्षेत्र जिनमें प्रयोजना लागू होती है					
			खसरा नं०	व्यक्तिगत भूमि	सरकारी भूमि	क्षेत्रफल		
1	2	3	4	5	6	7		
				क० म०	क० म०	क० म०		
1.	ऊना/कांगडा-जी-1751	पन्डोगा	821515772, 821615772, 5770, 6454, 6455, 827516456।	131	13	—	131	13
2.	ऊना/कांगडा-यू-1761	जदकोर	331 और 24	127	5	—	127	5
3.	ऊना/कांगडा-यू-1771	मन्तोणगढ़	16132, 201211, 104, 1211, 1915, 1612212	21	11	—	21	11
4.	ऊना/कांगडा-यू-1781	रामपुर	1919, 1921 से 1923, 2108, 2109, 1944, 1945, 1863, 1865, 1866, 1943, 1947, 1879, 1911, 1930, 1941, 2037, 2038, 2066, 2094, 2095, 1815, 1819, 1820।	70	13	—	70	13
5.	ऊना/कांगडा-ए-1791	अमर	2938, 2932, 2931, 2927, 293011, 2939, 2949, 2952, 2957 भिन।	26	13	—	26	13
6.	ऊना/कांगडा-जी-1801	दीवलपुर	1711612, 17, 1812, 2312, 2311, 2313, 24, 25, 2414, 5 भिन, 7।	54	11	—	54	11
7.	ऊना/कांगडा-यू-1811	फतेहपुर	1311712, 181112, 1812, 1413, 14 भिन, 1911 भिन, 1411712, 18, 23 भिन, 1411711, 131 2311, 1311912, 20, 14114 भिन, 1512, 131 111112, 1411512 भिन, 1411212, 1911, 23 भिन, 14122, 2412।	92	10	—	92	10
8.	ऊना/कांगडा-जी-1821	बरोह	271311, 271411, 2311, 2815141, 1412511, 271112, 212, 271412, 716, 14121, 2312, 14124, 2711011, 271114, 9, 511, 612, 614, 271312।	66	3	—	66	3

1	2	3	4	5	6	7
9.	ऊना/कांगड़ा-जी-1831	दोलतपुर	16111, 20, 2111, 1711513, 1611	25	7	25 7 00
	1972-73					
10.	ऊना/कांगड़ा-ए-1591	गोंदपुर बनेहड़ा	1183, 115511, 1182, 117111, 119211, 119111, 119011, 118911, 118811, 1185, 1184, 1172, 1154, 1173, 1149, 1151, 11531	66	0	66 0 00
	1971-72					
11.	ऊना/कांगड़ा-यू-1861	नंगड़ा	1511 और 1414	59	5	59 15
	1972-73					
12.	ऊना/कांगड़ा-यू-1891	बसोली	54801672, 287, 313, 60901286, 60891, 286, 60911286, 54811672, 3121	33	2	33 2
	1972-73					
13.	ऊना/कांगड़ा-जी-1841	बडेहड़ा	7864, 7865, 7866	68	19	68 19
	1972-73					

(हस्ताक्षरित),

सचिव,

जिला भूमि सुधार कमेटी, ऊना।

FORM S.C. 5

Notice of publication of Draft Scheme

In pursuance of the provisions of sub-section (2) of section 7 of the Punjab Land Improvement Scheme Act, 1963, the District Land Improvement Committee, Kulu, hereby publishes the draft scheme prepared under sub-section (1) of the aforesaid section.

Notice of the publication of the scheme is hereby given in accordance with the provisions of section 8 of the Act. All persons affected by the scheme who wish to make any claim or to submit any objection to the draft scheme may do so in writing or by appearing personally before the Inquiry Officer, Agricultural Inspector (SC) Kulu/Nagwain within 30 days of publication of the draft scheme.

Draft schemes prepared in accordance with section 5 of the Punjab Land Improvement Scheme Act, 1963 are appended below.

M. M. NARANG,

Secretary-cum-Assistant Soil Conservation Officer, Kulu.

FORM C

Draft schemes prepared in accordance with section of the Punjab Act, 1963

1. Object of scheme.—Preservation of erosion and improvement of productivity getting sustained yield and minor irrigation.
2. Agency through which the work shall be carried out.—Self.
3. The nature of work to be carried out.—B.T.-cum-stone bunding.
4. Condition according to which the work shall be carried out.—On 50% subsidy and 50% loan. The loan part repayable to the Government in the ten annual equal instalments within 15 years.

Repayable with effect after 5 years the date of the payment of soil conservation with 7% interest per year. Subsidy and loan admissible to the beneficiaries with annual income 6,000 or less

District: KULU

Sub-Division: KULU

Scheme No.	Name of Phati and Kothi, Tehsil and District	Name of beneficiary	Approximate area to which these apply	Khasra No.	Big.	Bis.	Bisw.
1	2	3		4		5	0
319.	Phati Kais, Kothi Kais, Tehsil and District Kulu.	Shri Mangi Chand s/o Shri Ganga.	7895		5	0	0
320.	-do-	Shri Bodh Ram s/o Shri Ganga	7936		4	7	0
321.	-do-	Shri Purkh Chand s/o Shri Ganga	7955		8	16	0
322.	Phati Dohabi, Kothi Mandalgarh, Tehsil and District Kulu	Shri Puran Chand s/o Shri Khub Ram and Smt. Jidhi w/o Shri Khub Ram.	311, 312, 351, 353, 355, 385, 389, 392. 428.		11	15	0
323.	-do-	Smt. Devku d/o Ramdiyal	286, 290, 306, 422		9	6	0
324.	Phati Jagatsukh, Kothi Jagat sukh, Tehsil and District Kulu.	Smt. Devku w/o Shri Menu	1396		2	3	0

1	2	3	4	5
325.	Phati Diyar, Kothi Kotkandi, Tehsil and District Kulu.	Smt. Bidyawati w/o Shri Tula Ram.	2307, 3259, 2303, 2311	10 1 0
326.	Phati Dobhi, Kothi Mandalgarh, Tehsil and District Kulu.	Sarvshri Tej Singh, Budi Singh, Daulat Ram s/o Shri Kundan.	145, 169, 170, 196, 210, 233, 342, 353, 382, 413, 414, 431, 499, 501, 555, 558, 177.	10 18 0
327.	Phati Kais, Kothi Kais, Tehsil and District Kulu.	Shri Gulab Dass, Shri Ram Dass Shri Mir Dass s/o Shri Banshi Ram.	2017, 2019, 2021, 2059, 2060, 2096, 2136.	25 16 0
328.	Phati Dobhi, Kothi Mandalgarh, Tehsil and District Kulu.	Shri Maya Ram s/o Shri Thopi Ram.	418, 423, 430, 1217/256, 1218/250	15 5 0
329.	Phati Soyai, Kothi Barshai, Tehsil and District Kulu.	Shri Maya Dass s/o Shri Shiv Chand.	1436, 1446, 1389, 1388, 1475	8 1 0
330.	Phati Dobhi, Kothi Mandalgarh, Tehsil and District Kulu.	Sarvshri Nirmal Dass s/o Shri Narotam Dass and Sukh Dass s/o Shri Nar Singh Dass.	446, 447, 448, 450, 451	11 17 0
331.	Phati Soyai, Kothi Barshai, Tehsil and District Kulu.	Shri Chanu Ram s/o Shri Luder	708, 737	11 8 0
332.	Phati Gahar, Kothi Chaparsa, Tehsil and District Kulu.	Shri Keshu s/o Shri Rattan	2321, 2341, 2354, 2368, 2378, 2409, 2415, 2424, 2510, 2567, 2492, 2602, 2657, 2661, 2770, 2844, 2875, 2900, 3052, 3096, 3161, 3227, 3352, 3293, 3452, 3504, 2353, 2423, 3053, 3584.	13 7 0
333.	Phati Chipni, Kothi Tung, Tehsil Seraj (Banjar) District Kulu.	Shri Hari Ram, Man Sukh S/o Shri Bhimi Ram.	15, 1664/16	15 12 0
334.	Phati Dhaungi, Kothi Bunga Teesil Seraj (Banjar) District Kulu.	Shri Moti Ram s/o Shri Jhali	1168, 1198, 1199, 1200, 1201	10 2 0
335.	Phati Plach, Kothi Plach Tehsil Seraj (Banjar) District Kulu	Shri Piyare Ram s/o Shri Hari, Shri Dilbaru s/o Shri Thakri, Smt. Cheti w/o Shri Hari.	410, 406, 409, 414	4 12 0

फॉर्म नं० 5

प्राच्य प्रयोजना के प्रकाशन की सूचना

पंजाब भूमि सुधार प्रयोजना अधिनियम, 1963 की धारा 7 की उप-धारा (2) के उप-बन्धों के अनुसरण में जिला भूमि सुधार समिति, कुल्लू एतद्द्वारा सूचना धारा की उप-धारा (1) के अधीन तैयार की गई प्राच्य प्रयोजना प्रकाशित करती है।

प्रयोजना के प्रकाशन की सूचना एतद्द्वारा अधिनियम की धारा 8 के उप-बन्धों के अनुसार दी जाती है। प्रयोजना से प्रभावित सभी व्यक्ति, जो कि प्राच्य प्रयोजना के बारे में किसी प्रकार का दावा करना चाहें या कोई आपत्ति करना चाहें, कुल्लू, स्थान पर जांच अधिकारी कुल्लू तथाई कृषि निरीक्षक भू-संरक्षण के सम्मुख इस प्रयोजना के प्रकाशन होने के बाद 30 दिन के अन्दर या इस से पहले निश्चित रूप में या व्यक्तिगत रूप में ऐसा कर सकते हैं।

पंजाब भूमि सुधार प्रयोजना अधिनियम, 1963 की धारा 5 के अनुसार की गई प्राच्य योजना नीचे दी गई है।

एम.एम. नारंग,

सचिव,

सहायक भूमि संरक्षण अधिकारी, कुल्लू।

स्कीम नं०	नाम फाटी, कोठी, तहसील और जिला	मालिक का नाम	अनुमानित क्षेत्र जिसमें यह प्रयोजना लागू होगी	कार्य किस के द्वारा होगा	
			समूचा नं०	क्षेत्र बी० बि० बि०	
1	2	3	4	5	6
319.	फाटी कयास, कोठी कयास, तहसील और जिला कुल्लू।	श्री मानगी चन्द सुपुत्र श्री गंगा	7895	5 0 0	स्वयं तथा विभाग द्वारा।
320.	"	श्री बांध राम सुपुत्र श्री गंगा	7936	4 7 0	"
321.	"	श्री पूरख चन्द सुपुत्र श्री गंगा	7955	8 16 0	"
322.	फाटी दोभी, कोठी मण्डल- गढ़, तहसील और जिला कुल्लू।	श्री पूरण चन्द सुपुत्र श्री खूब राम और श्रीमति जीदरी पत्नी खूब राम।	311, 312, 351, 353, 355, 385, 389, 392, 428।	11 15 0	"
323.	"	श्रीमति देवकु सुपुत्री श्री रामदियाल	386, 290, 306, 422	9 6 0	"
324.	फाटी जगतसुख, कोठी जगतसुख, तहसील और जिला कुल्लू।	श्रीमती देवकु पत्नी श्री मीनू	1336	2 3 0	"
325.	फाटी दयार, कोठी कोट- काण्डी, तहसील और जिला कुल्लू।	श्रीमति बिद्यावती पत्नी श्री तुला राम	2307, 2259, 2303, 2311	10 1 0	"
326.	फाटी दोभी, कोठी श्री तेज सिंह, बुची सिंह, दौलत राम मण्डलगढ़, तहसील और जिला कुल्लू।	सुपुत्र श्री कुन्दन।	145, 169, 170, 196, 210, 233, 342, 353, 382, 413, 414, 431, 409, 301, 305, 177, 158।	10 18 0	"
327.	फाटी कायस, कोठी श्री गुलाब दास, श्री राम दास, श्री मीर कयास, तहसील और जिला कुल्लू।	दास सुपुत्र श्री बन्सी राम।	2017, 2019, 2021, 2059, 2060, 2096, 2136।	25 16 0	"
328.	फाटी दोभी, कोठी श्री माया राम सुपुत्र श्री यपी राम मण्डलगढ़, तहसील और जिला कुल्लू।		418, 423, 430, 217, 256, 218, 250।	15 5 0	"
329.	फाटी सोयल, कोठी श्री माया दास सुपुत्र श्री शिव चन्द बरसाई, तहसील और जिला कुल्लू।		1436, 1446, 1389, 1388, 1475।	8 1 0	"
330.	फाटी दोभी, कोठी श्री निर्मल दास सुपुत्र श्री नरोत्तम दास मण्डलगढ़, तहसील और जिला कुल्लू।	और सुख दास सुपुत्र श्री नार सिंह दास।	446, 447, 448, 450, 451	11 17 0	"
331.	फाटी सोयल, कोठी श्री चैनु राम सुपुत्र श्री लुदर बरसाई, तहसील और जिला कुल्लू।		708, 737	11 8 0	"
332.	फाटी गाहर, कोठी श्री केसु सुपुत्र श्री रतन चपरासा, तहसील और जिला कुल्लू।		2321, 2341, 2354, 2368, 2378, 2409, 2415, 2424, 2510, 2567, 2592, 2602, 2657, 2661, 2770, 2844, 2875, 2900, 3052, 3096, 3161, 3227, 3352, 3293, 3452, 3504, 2353, 2423, 3053, 3584।	13 7 0	"
333.	फाटी चीपनी, कोठी श्री हरि राम, मान सुख सुपुत्र तुंग, तहसील बनजार और जिला कुल्लू।	श्री भीभी राम।	15, 1664, 116	15 12 0	"

1	2	3	4	5	6
334	फाटी धनोगी, कोठी श्री मोती राम सुपुत्र श्री जलौ बनगा, तहसील बनजार मोर जिला कुल्लू।	1168, 1198, 1199, 1200, 1201।	10 2 0	स्वयं तथा विभाग द्वारा	
335	फाटी पलाच, कोठी श्री पीयार राम सुपुत्र श्री हरि, पलाच, तहसील बनजार श्री दिनबाल सुपुत्र श्री ठाकरी, श्रीमती मोर जिला कुल्लू। चैती पत्नी श्री हरि।	410, 406, 409, 414	4 12 0		

(हस्ताक्षरित)

महायक भूमि संरक्षण अधिकारी, कुल्लू।

FORM S.C. 8

Notice of publication by the Secretary, Land Improvement Committee, Kulu

Notice of publication under section 11 of the Punjab Land Improvement Schemes Act, 1963

Notice is hereby given that the scheme providing for item they have found a place in the draft scheme; (1) Prevention of erosion of soil, (2) Preservation and improvement of soil in respect of land prescribed below has been sanctioned by the Committee under section 10 of the Punjab Land Improvement Schemes Act, 1963.

SCHEDULE

Scheme No.	Phati	Kothi	Khasra No.	Name of beneficiary	Area B. B. B.	Estimated cost	Nature of work
1	2	3	4	5	6	7	8
District: KULU				Tehsil: KULU			
294.	Kharal	Kais	7145	Shri Dhani Ram s/o Shri Luder Chand, Shri Balmukand s/o Shri Piyare Ram, Smt. Durgi Devi w/o Shri Luder Chand.	17 4 0	2,720.00	B.T.-cum-stone bunding
295.	Diyar	Kot Kandi	2918, 2910, 2920, 2921, 2921/1.	Shri Anup Ram s/o Shri Nokhu.	12 3 0	1,920.00	"
296.	Manjhali	"	2411, 2452, 2510, 2526, 2560, 2561, 2565, 2566, 2570, 2573, 2589, 2589, 2601, 2669, 2671, 2672.	Shri Fateh Chand s/o Shri Jindu Ram.	10 7 0	1,640.00	"
297.	Manjhali	"	5202, 509, 2521, 2523, 2524, 2600, 2602, 2670.	Shri Anup Ram s/o Shri Nokhu.	12 14 0	2,000.00	"
298.	Kharal	Kais	2624, 2677, 4525, 4526, 4534, 4535, 7616.	Shri Nirat Ram s/o Shri Tule Ram.	4 8 0	680.00	"
299.	Shina	Paison	465	Shri Devi Ram s/o Shri Shipi, Shri Sukh Ram, Dhanu s/o Shri Mania.	9 2 0	1,440.00	"
300.	Gramang	Choparsa	3986, 3992, 3998, 4003, 4018, 4030, 3635, 3718, 3957, 3993, 3999, 4000, 4027, 4029.	Shri Kalu s/o Shri Ruldu	12 12 0	2,000.00	"
301.	Gohar	"	2405, 2983, 3156, 3159, 3350, 3376, 3387, 2328, 2362, 2379, 2408, 2504, 2566, 2593, 2653, 2656, 2683, 2984, 3351, 3529, 2771, 2835, 2873, 3124, 3233, 3450, 3993, 3509, 3597.	Shri Devi Ram s/o Shri Kuslu.	13 14 0	2,080.00	"
302.	Kharal	Kais	5024, 5143, 5182, 5179, 5196, 5206, 5239, 5257, 5144, 7711, 5489, 5507, 5508, 5509, 7499.	Shri Lal Chand s/o Shri Channu Ram.	33 11 0	5,000.00	"
303.	Kharal	"	5137	Sarvshri Thirth Ram, Roshan Lal Adeshawar,	9 0 0	1,440.00	"

1	2	3	4	5	6	7	8
				Rajender Parshad, Jai-dhar s/o Shri Lal Chand.		Rs.	
304.	Bhulang (Mulang).	Khokhan	800, 806, 811, 813, 814, 816, 817, 821, 827, 829, 831, 835, 862.	Shri Lotam s/o Shri Khimu, Smt. Baru w/o Shri Uttam.	11	1	0 1,760.00 B.T.-cum stone bunding.
305.	Gahar	Choparsa	4097, 4124, 4163, 4238, 4239, 4257, 4258, 4323, 4358, 4540, 4618, 4620, 4655, 4757, 4786, 4854, 4898, 4902, 4976, 4977, 4980, 5004, 3792, 3793, 4955, 4958, 3991, 4047, 4048, 5058, 5062, 3871, 3722.	Shri Poshu s/o Shri Kuslu, Smt. Padharu d/o Shri Kuslu.	9	15	9 1,560.00 "
306.	Kharal	Kais	7453/3587, 7452/3587	Shri Dhani Ram s/o Shri Moti Ram.	5	0	0 800.00 "
307.	Gahar	Choparsa	5104/3615, 3678, 3719, 3740, 3817, 3837, 3953, 3956, 4122, 4147, 4245, 4308, 4376, 4418, 4549, 4554, 4611, 4652, 5102/4764, 4853, 4896, 4963, 5080.	Shri Mehesu, Jai Ram s/o Shri Rupu, Smt. Dani, Smt. Ketki d/o Shri Rupu, Smt. Thohli w/o Shri Rupu.	6	9	9 1,000.00 "
308.	"	"	3626, 3658, 3674, 3721, 3742, 3845, 3850, 3894, 3899, 3952, 3962, 3987, 3993, 4100, 4123, 4145, 4183, 4225, 4261, 4263, 4316, 4325, 4419, 4451, 4455, 4509, 4538, 4592, 4601, 4609, 4632, 4684, 4768, 4770, 4783, 4838, 4881, 4884, 4899, 4938, 4952, 5003, 5045, 5059, 5083.	Shri Yamu s/o Shri Bonu.	19	3	0 3,040.00 "
309.	Gahar	Choparsa	3855, 3627, 3659, 3676, 3730, 3736, 3841, 3846, 3879, 3890, 3963, 3964, 3970, 3977, 3988, 3954, 4035, 4164, 4172, 4245, 4300, 4309, 4322, 4420, 4450, 4457, 4491, 4593, 4610, 4680, 4736, 4761, 4774, 4777, 4780, 4789, 4880, 4895, 4900, 4956, 5014, 5052.	Shri Lahlu s/o Shri Anant Ram.	16	2	0 2,560.00 "
310.	Kharal	Kais	6135, 6136, 6137, 6138, 6133, 6141, 6630 min, 6630 min, 6630 min.	Shri Gian Sarup, Lalit Kumar, Gandharv Lal, s/o Shri Amrit Lal, Shri Basant Kumar s/o Shri Roda Mal, Smt. Ambra Wati w/o Shri Roda Mal.	41	8	0 6,600.00 Gravity irrigation-cum-stone bunding.
311.	Plach	Plach	90, 91	Tehsil: SERAJ Shri Udaya s/o Shri Pari Ram.	7	0	0 1,120.00 B.T.-cum stone bunding.
312.	Thanchad	Gopalpur	660, 669, 670	Shri Harish Chander, Ravinder Chand, s/o Shri Ram Krishan, Smt. Pawan Kumari d/o Shri Gian Chand, Smt. Jagtamba Devi w/o Shri Jagdish Chand.	16	11	0 2,640.00 "
313.	Shangar	Shangar	305, 306, 308, 309, 310, 311, 312, 324, 325, 313.	Shri Varinderpal Singh s/o Shri Kripal Singh.	43	8	0 6,920.00 "
314.	Dhaungi	Bunga	861	Shri Shobu Ram s/o Shri Bhajanu Ram.	3	13	0 560.00 "
315.	Plach	Plach	228, 47, 309, 314, 347,	Shri Fateh Chand s/o	9	16	0 1,560.00 "

1	2	3	4	5	6	7	8
						Rs.	B.T. cum ston bundling
316.	Plach	Plach	225, 642/2/1. 641, 642, 641/4, 642/2	Shri Paras Ram. Shri Bhag Singh s/o Shri Paras Ram.	6 19 0	1,100.00	
317.	Kharal	Kais	Tehsili. 306, 324, 363, 423, 531, 965, 262, 297, 305, 208, 210, 235, 300, 346, 395, 234, 299, 347, 394, 397.	KULU. Shri Nagroo Bodh, Duni Chand s/o Shri Dugcha.	14 15 0	2,360.00	
318.	Mulang	Khokhan	959, 896, 909, 913, 916, 921, 943, 954, 977, 997, 1023, 1042, 944, 987, 992, 1026, 1044, 1030, 900, 919, 761, 795, 983, 897, 912, 760, 757, 889, 898, 911, 923, 939, 970, 979, 999, 1000, 1024, 1028, 1043.	Shri Khimmu s/o Shri Riglu, Shri Jogu s/o Shri Kudu.	26 9 0	4,200.00	

Sd/-
Assistant Soil Conservation Officer, Kulu.

कार्य नं० सं० 5.

सचिव, जिला भूमि सुधार समिति कुल्लू द्वारा प्रकाशन की सूचना
पंजाब भूमि सुधार प्रयोजना अधिनियम 1963 की धारा 11 के अधीन प्रकाशन की सूचना
एतद्वारा सूचना दी जाती है कि नीचे लिखित भूमियाँ के सम्बन्ध में भूमि संरक्षण पीछे जो कि प्रयोजना में शामिल है के लिये पंजाब
भूमि प्रयोजना अधिनियम, 1963 की धारा 11 के अधीन समिति द्वारा स्वीकृत की जा चुकी है।

अनुसूची

स्कीम नं०	फाटी	कोठी	खसरा नं०	तहसील	मालिक का नाम	कुल क्षेत्र वी०बी०	अनुमानित राशि
1	2	3	4	5	6	7	8
किये जाने वाला कार्य:—खेतों का कार्य।							
294.	खरात	कायस	7145	कुल्लू	श्री धनी राम सुपुत्र श्री लुदर चन्द, श्री बालमुकन्द सुपुत्र श्री प्यारा राम, श्रीमति दुर्गा देवी धर्मपाल श्री लुदर चन्द।	17 4 0	2,720.00
295.	दयार	कोटकन्डी	2918, 2910, 2920, 2921, 2921111।	कुल्लू	श्री अनूप राम सुपुत्र श्री नोखू,	12 3 0	1,920.00
296.	मंजली	"	2451, 2452, 2510, 2526, 2560, 2561, 2565, 2566, 2570, 2573, 2589, 2589, 2601, 2669, 2671, 2672।	कुल्लू	श्री फते चन्द सुपुत्र श्री जोन्दु राम	10 7 0	1,640.00
297.	"	"	5202, 2509, 2521, 2523, 2524, 2600, 2602, 2670।	कुल्लू	श्री अनूप राम सुपुत्र श्री नोखू	12 14 0	2,000.00
298.	खरात	कायस	2624, 2672, 4525, 4526, 4534, 4535, 7616।	कुल्लू	श्री नरपत राम सुपुत्र श्री तुले राम	4 8 0	680.00
299.	साहरा	रायमन	465	कुल्लू	श्री देवी दास सुपुत्र श्री शहेबी, श्री मुख राम, श्री धनु सुपुत्र श्री मोना।	9 2 0	1,440.00

1	2	3	4	5	6	7	8
300.	शमिनग चपरासा	3986, 3992, 3998, 4003, 4028, 4030, 3635, 3718, 3987, 3993, 3999, 4000, 4027, 4029.	कुल्लू श्री कालू सुपुत्र श्री कलदू	12 12 0	2,000.00		
301.	गाहर चपरासा	2405, 2983, 3156, 3159, 3350, 3376, 3383, 2328, 2362, 2379, 2408, 2504, 2566, 2593, 2553, 2556, 2683, 2984, 3351, 3529, 2771, 2835, 2873, 3124, 3233, 3450, 3493, 3509, 3597.	कुल्लू श्री देवी राम सुपुत्र श्री कुशलू	13 14 0	2,080.00		
302.	खराल कायस	5024, 5143, 5182, 5179, 5196, 5206, 5239, 5257, 5144, 7711, 5489, 5507, 5508, 5509, 7499.	कुल्लू श्री लाल चन्द सुपुत्र श्री चयन्ने राम ।	33 11 0	5,000.00		
303.	खराल कायस	5137	कुल्लू श्री तीर्थ राम, रोगन लाल, अदेश्वर, राजिन्द प्रसाद और जेधर सुपुत्र श्री लाल चन्द ।	9 0 0	1,440.00		
304.	मुलगा (मुलंग)	खोखन 800, 806, 811, 813, 814, 816, 817, 821, 827, 829, 831, 835, 862.	कुल्लू श्री लोतम सुपुत्र श्री खीम, श्रीमति बारू धर्मपति उत्तम, श्री देवी राम, मेहर चन्द ।	11 1 0	1,760.00		
305.	गाहर चपरासा	4097, 4124, 4163, 4238, 4239, 4257, 4258, 4323, 4358, 4540, 4618, 4620, 4655, 4757, 4786, 4854, 4898, 4902, 4976, 4977, 4980, 5004, 3792, 3793, 3955, 3958, 3991, 4047, 4048, 5058, 5062, 3871, 3722.	कुल्लू श्री पोम सुपुत्र कुशलू श्रीमति पाधरू सुपुत्री श्री कुशलू ।	9 15 1	1,560.00		
306.	खराल कायस	7453/3587, 7452/3587	कुल्लू श्री धनी राम सुपुत्र श्री मोती राम	5 0 0	800.00		
307.	गाहर चपरासा	5104/3615, 3678, 3719, 3740, 3817, 3837, 3953, 3956, 4122, 4147, 4245, 4308, 4376, 4418, 4549, 4554, 4611, 4652, 5102/4764, 4853, 4896, 4963, 5080.	कुल्लू श्री महेशु जै राम सुपुत्र श्री रूपु, श्रीमति दासी, श्रीमति कातकी सुपुत्री श्री रूपु ।	6 9 9	1,000.00		
308.	गाहर चपरासा	3626, 3658, 3674, 3721, 3742, 3845, 3850, 3894, 3899, 3952, 3962, 3987, 3993, 4100, 4123, 4145, 4183, 4225, 4261, 4263, 4316, 4325, 4419, 4151, 4455, 4509, 4538, 4592, 4601, 4609, 4632, 4684, 4768, 4770,	कुल्लू श्री यानु सुपुत्र श्री बीनु	19 3 0	3,040.00		

1	2	3	4	5	6	7	8
			4783, 4838, 4881, 4884, 4899, 4938, 4952, 5003, 5045, 5059, 5083.				
					किये जाने वाला कार्य.—खेतों का कार्य तथा स्टोन बंडिंग ।		
309.	गाहर	चपरामा	3855, 3627, 3659, 3676, कुल्लू 3730, 3736, 3841, 3846, 3879, 3890, 3963, 3964, 3970, 3977, 3988, 3994, 4035, 4164, 4172, 4245, 3400, 4309, 4322, 4420, 4450, 4457, 4491, 4593, 4610, 4680, 4736, 4761, 4774 4777, 4780, 4789, 4880, 4895, 4900, 4956, 5014, 5052.	श्री लोभू सुपुत्र श्री अनंत राम	16	2	0 2,560.00
					किये जाने वाला कार्य.—सिंचाई की सकीम ।		
310.	सराल	कायस	6135, 6136, 6137, 6138, कुल्लू 6133, 6141, 6630 मिन, 6630 मिन, 6630 मिन ।	श्री ज्ञान स्वरूप, श्री ललित कुमार, श्री गन्धर्व लाल सुपुत्र श्री अमृत लाल, श्री बसन्त कुमार, सुपुत्र श्री रोडा मल श्रीमति अमरावती धर्मपति श्री रोडा मल ।	41	8	0 6,600.00
					किये जाने वाला कार्य.—खेतों का कार्य तथा स्टोन बंडिंग ।		
311.	पलाच	पलाच	90, 91	सीराज श्री उषा सुपुत्र श्री परी राम	7	0	0 1,120.00
312.	धलाच	गोपानपुर	660, 669, 670	सीराज श्री हरीश चन्द्र, रवीन्द्र चन्द्र, सुपुत्र श्री राम कृशन, श्रीमति दवना कुमारी सुपुत्री श्री ज्ञान चन्द्र, श्रीमति जगदम्बा देवी धर्मपति श्री जगदीश चन्द्र ।	16	11	0 2,640.00
313.	मह्यार	मह्यार	305, 306, 308, 309, 310, 311, 312, 324, 325, 313.	सीराज श्री वीरेन्द्र पाल सिंह सुपुत्र श्री कृपाल सिंह ।	43	8	0 6,920.00
314.	धउगी	बुगा	861	सीराज श्री सोमू राम सुपुत्र श्री भजन राम ।	3	13	0 560.00
315.	दलाच	दलाच	228, 130, 47, 233, 240, 309, 314, 317, 642, 25, 28, 225, 642/2/1.	सीराज श्री फते चन्द सुपुत्र श्री परस राम	9	16	0 1,560.00
316.	दलाच	दलाच	641, 642, 641/4, 642/2	सीराज श्री भाग सिंह सुपुत्र श्री परस राम	6	19	0 1,100.00
317.	सराल	कायस	306, 324, 363, 423, 531, 965, 262, 297, 305, 208, 210, 235, 300, 346, 395, 234, 299, 347, 394, 397 ।	कुल्लू श्री नरगो बोद, श्री दुनी चन्द सुपुत्र श्री दुगला ।	14	15	0 2,360.00
318.	मालंग	खोजन	959, 896, 909, 913, 916, 921, 943, 954, 977, 997, 1023, 1042, 944, 987, 992, 1026, 1044, 1030, 900, 919, 761, 795, 983, 897, 912,	कुल्लू श्री खीनु सुपुत्र श्री रीगलु श्री जोगु सुपुत्र श्री खहदु ।	26	9	0 4,200.00

1	2	3	4	5	6	7	8
			760, 757, 889, 898, 911, 923, 939, 970, 979, 999, 1000, 1024, 1028, 1043.				

एम० एम० नारंग,
सहायक सायल इंजिनियरिंग ऑफिसर, कुल्लू।

FORM S. C. 8

Notice of publication by the Secretary District Land Improvement Committee, Una

NOTICE OF PUBLICATION UNDER SECTION II OF THE PUNJAB LAND IMPROVEMENT ACT, 1963

Notice is hereby given that the scheme providing for the (Item that have found a place in the Draft Scheme) Prevention and erosion of soil in respect of land provided below have been sanctioned by the Committee under section 10 of the Punjab Land Improvement Scheme Act, 1963:—

Serial No.	Scheme No.	Village	Tehsil	Khasra No.	Area K. M.
1.	UNA/KGR/A-145/71-72	Baheri	Amb	6R/16/2, 17/2, 7R/16, 17, 18, 19 to 22, 26, 7R/12/2, 19, 15/2, 8R/20, 92, 7R/13/2, 7R/13/1.	89 16
2.	UNA/KGR/G-153/71-72	Ambota	Amb	3102, 3109, 3099 min, 3105, 4950/3080, 3081, 3082, 4951/3080, 3081, 3082, 3101, 3104, 3103, 3106, 3130 to 3134, 3089 to 3093, 3095 to 3097, 3108, 3079 and 3100, 3094 min, 3107.	82 14
3.	UNA/KGR/G-151/71-72	Baroh	Amb	2946, 2940, 2941, 2943, 2944, 2949, 2992 to 2994, 2995/1, 2995/2, 2998 to 3003, 3006 to 3010, 3013 to 3017, 3019, to 3021, 3025 to 3031, 3057 and 3059.	67 01
4.	UNA/KGR/U-146/71-72	Khanpur	Una	408, 410, 416, 417, 424, 425, 429 to 432, 434 to 436, 321, 323, 324, 362, 365, 367, 433, 441 to 444, 446, 447, 455, 458, 459, 466, 467, 499, 490, 509, 511, 512, 514, 518 to 520, 522 to 528, 536, 537, 539.	120 17
5.	UNA/KGR/G-130/71-72	Amobata	Amb	5359, 5115, 5183, 9040/5210, 9041/5210, 9045/5210, 4808, 5118, 9044/5210, 9046/5210, 9043/5210, 9047/5210, 5211, 4704/3, 4707, 5113, 5114, 5116, 5117, 5185, 8261/5318, 5133 min, 5133 min.	88 00
6.	UNA/KGR/A-137/71-72	Amb	Amb	1560, 1575, 1577 to 1579, 1581 to 1601, 1604, 1608.	68 01
7.	UNA/KGR/U-138/71-72	Badher urf Dehlan.	Una	5833/1, 5838, 5843, 13329/10108, 13331/10112, 13386/10303, 11281/10301, 5832, 5833/2, 5834, 10131, 10201, 10285, 13385/11430, 13289/10311, 5839, 5831, 5835, 5841, 5842.	51 09

Sd/-
Secretary,
District Land Improvement Committee, Una.

फार्म एम 0 सी 0 (8)

सचिव जिला भूमि सुधार समिति ऊना द्वारा प्रकाशन की सूचना

पंजाब भूमि सुधार प्रयोजना अधिनियम, 1963 की धारा (11) के अधीन प्रकाशन की सूचना

एतद्वारा सूचना दी जाती है कि नीचे निर्धारित भूमियों के सम्बन्ध में मर्चे जोकि प्रारूप प्रयोजना के लिये पंजाब भूमि सुधार प्रयोजना अधिनियम की धारा (10) के अधीन समिति द्वारा सविकृत की जा चुकी है।

क्रमांक	सकीम नम्बर	ग्राम	तहसील	खसरा नं०	क्षेत्र
1.	ऊना/कांगड़ा-ए-145/ 1971-72.	बहेड़ी	ग्राम	6 ग्रा/16/2, 17/2, 7ग्रा/16, 17, 18, 19 से 22, 26, 7-ग्रा/12/2, 19, 15/2, 8-ग्रा/20, 92, 7-ग्रा/13/2, 13/1.	क 0 म 0 89 16
2.	ऊना/कांगड़ा-जी-153/ 1971-72.	अम्बोटा	ग्राम	3102, 3109, 3099मिन, 3099मिन, 3105, 4950/3080, 3081, 3082, 4951/3080, 3081, 3082, 3101, 3104, 3103, 3106, 3130 से 3134, 3089 से 3093, 3095 से 3097, 3108, 3079 और 3100, 3107.	82 14
3.	ऊना/कांगड़ा-जी-151/ 1971-72.	बरोह	ग्राम	2946, 2940, 2941, 2943, 2944, 2949, 2992 से 2994, 2995/1, 2995/2, 2998 से 3003, 3006 से 3010, 3013 से 3017, 23019 से 3021, 3025 से 3031 3057 और 3059.	67 01
4.	ऊना/कांगड़ा-यू-146/ 1971-72.	जानपुर	ऊना	408, 410, 416, 417, 424, 425, 429 से 432, 434 से 436, 120 321, 323, 324, 362, 365, 367, 433, 441 से 444, 446, 447, 455, 458, 459, 466, 467, 499, 490, 509, 511, 512, 514, 518 से 520, 522 से 528, 530, 537, 539.	120 17
5.	ऊना/कांगड़ा-जी-130/ 1970/71.	अम्बोटा	ग्राम	5359, 5115, 5183, 9040/5210, 9041/5210, 9045/5210, 4808, 5118, 9044/5210, 2946/5210, 9043/5210, 9047/5210, 5211, 4704/3, 4707, 5113, 5114, 5116, 5117, 5185, 8261/5318, 5133मिन, 51133 मिन.	88 00
6.	ऊना/कांगड़ा-ए-137/ 1971-72.	ग्राम	ग्राम	1560, 1575, 1577 से 1579, 1581 से 1601, 1604, 1608.	68 01
7.	ऊना/कांगड़ा-यू-138/ 1971-72.	वडैहर उर्फ देहला।	ऊना	5833/1, 5838/1, 5843, 13329/10108, 13331/ 10112, 13386/10303, 11281/10301, 5832, 5833/2, 5834, 10131, 10201, 10285, 13385/ 11430, 13289/10311, 5839, 5831, 5835, 5841, 5842.	51 09

हस्ताक्षरित

सचिव,

जिला भूमि सुधार कमिटी, ऊना।

PART I

INDUSTRIES DEPARTMENT
NOTIFICATIONS

Simla-2, the 2nd February, 1973

No. 17-80/72-SI.—Whereas it appears to the Governor, Himachal Pradesh, that the land is required to be taken by the Government at public expense for a public purpose namely for the establishment of an Industrial Area, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 5 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, Una [Sub-Divisional Officer (C), Una], District Una, Himachal Pradesh is hereby directed to take orders for the acquisition of the said land.

A plan of the land may be inspected in the office of the Land Acquisition Collector, Una, District Una.

SPECIFICATION

District: UNA

Tehsil: UNA

Village 1	Khasra No. 2	Area K. M. 3 4		1	2	3	4
MEHATPUR	2/7	1	8	13/1		4	2
	10/1	3	8	13/2		4	9
	14/1	2	18	14/1		2	0
	14/2	2	17	14/2		6	18
	14/3	1	3	14/2		6	0
	15	1	18	17/1		6	4
	10/1	0	14	17/2		1	7
	16/2	6	18	6			
	17/1	3	2	17/3		0	9
	17/2	2	9	18/1		4	13
	24/1	1	6	18/2		0	15
	24/2	1	9	18/3		1	7
	25/1	1	7	18/4		1	2
	25/2	4	8	19/1		4	0
	45	3	14	19/2		4	0
	75	2	4	20		8	0
	3			21/1		0	16
	21/1	2	0	21/2		3	12
	21/2	2	2	21/3		3	12
	21/3	4	4	22		8	0
	21/4	0	13	23/1		1	11
	21/5	1	2	23/2		3	9
	22			23/3			2
	1/1	3	1	23/4		0	14
	3/22			24/1		1	16
	1/2	1	2	24/2		6	4
	23/1	1	11	7			
	23/2	2	2	1/1		3	12
	23/3	2	7	1/2		1	4
	24/1	0	7	1/3		3	4
	24/2	4	4	2/1		5	0
	69	0	12	7			
	6			2/2		3	0
	1/1	0	6	3/1		4	0
	70	0	10	3/2		4	0
	6	1	11	4		7	0
	1/2	1	16	5/1		1	6
	10/1	3	2	5/2		0	11
	10/2	4	4	5/3		2	11
	11/1	3	16	6/1		0	5
	11/2	5	2	6/2		3	9
	12/1			6/3		2	0
	12/2	3	7	6/4		2	16
				7/1		1	16
				7/2		6	4
				8/1		3	4
				8/2		2	3
				8/3		2	13
				9/1		3	10
				9/2		3	10
				9/3		1	0
				10/1		7	19
				11/1		0	16
				11/2		3	11
				7			
				11/4		2	2
				12/1		0	13
				12/2		6	11
				12/3		0	8
				13/1		0	12
				13			
				2/1		2	7
				13/2/2		4	17
				14/1		4	2
				14/2		1	0
				14/3		0	16
				14/4		1	14
				15/1		3	2

1	2	3	4	1	2	3	4
	15/2	0	9		189	0	18
	15/3	3	7		189/1	0	4
	15/4	0	18		190	0	10
	16	8	0		191	0	13
	17/1	2	12		192	2	1
	17/2	4	15		193/1	0	13
	17/3	0	1		193/2	0	11
	17/4	0	8		194/1	1	1
	18/1	7	9		194/2	0	7
	18/2	0	18		195/1	1	0
	7				195/2	0	9
	19/1	0	2		196	1	13
	19/2	1	10		197	2	16
	19/3	5	0		198	0	2
	19/4	1	8		199/2	0	2
	22/1	5	16		199/2	1	0
	22/2	2	4		199/3	3	0
	23/1	0	8		200/1	0	17
	23/2	7	8		200/2	1	10
	24/1	2	11		201	0	1
	24/2	2	7		202/1	0	
	24/3	1	19		202/2	0	
	24/4	0	16		202/3	2	4
	25/4	8	0		203/1	1	1
	8/5	7	14		203/2	0	2
	6/2	4	17				
	6/1	0	4		Grand Total	514	7
	15	2	2				
	10/1	1	4	JAKHERA	35		
	2	7	18		6/1	6	10
	3/1	4	3		6/2	1	6
	3/2	2	11		8/1	0	13
	3/3	1	7		8/2	2	2
	10				15/1	0	17
	4/1	2	8		15/2	4	18
	4/2	1	15		7	7	11
	4/3	3	16		34		
	5/1	1	11		6/1	1	2
	5/2	4	6		6/2	3	7
	5/3	0	7		6/4	3	0
	5/4	1	12		6/3	0	11
	6/1	4	8		7/1	2	0
	6/2	0	19		7/2	2	0
	6/3	2	9		7/3	4	0
	7	8	0		8	7	16
	8	8	0		9/1	3	16
	9	6	4		34		
	11				9/2	3	18
	1/1	0	3		10/1	3	11
	1/2	6	1		10/2	4	9
	1/3	1	16		11	8	0
	2/1	6	4		12/1	0	13
	2/2	1	15		12/2	7	7
	3/1	7	4		13/1	3	16
	3/2	0	12		13/2	3	16
	4/1	1	10		14/1	1	17
	4/2	6	1		14/2	1	3
	11				14/3	3	14
	7/1	3	10		14/4	1	6
	7/2	4	8		15/1	2	0
	8/1	3	4		15/2	1	4
	8/2	0	11		15/3	3	16
	8/3	4	4		15/4	1	0
	9/1	4	4		34		
	9/2	3	16		16/1	2	8
	10/1	4	4		16/2	3	15
	10/2	3	16		16/3	1	18
	187	1	17		17/1	3	16
	188	0	10		17/2	4	0
					18/1	5	17

1	2	3	4	1	2	3	4
18/2		2	0	24/1		2	0
19/1		1	16	24/2		4	18
19/2		2	13	24/3		1	3
19/3		3	11	25/1		5	16
20/1		1	6	25/2		1	10
20/2		2	11	25/3		0	14
20/3		1	13	37/5/1		1	6
22/1		0	15	5/2		3	6
22/2		0	11	38/1/1		2	16
22/3		1	6	1/2		2	16
34				38/2/1		4	10
23		1	18	2/2		0	7
24		2	19	2/3		3	2
25/1		4	0	3/1		6	16
25/2		3	16	3/2		0	16
33				4/1		5	1
6/1		4	0	4/2		2	13
6/2		4	0	5/1		1	19
7/1		2	6	5/2		5	2
7/2		1	15	7/1		6	6
7/3		0	10	7/2		0	13
7/4		0	11	8/1		3	18
7/5		2	18	8/2		0	14
8/1		2	11	8/3		2	12
8/2		5	2	9/1		1	14
9/1		2	4	9/2		5	17
9/2		5	16	38/10		3	0
10/1		4	2	69		8	19
33							
10/2		1	0				
10/3		2	18				
11		8	0				
12/1		2	12				
12/2		1	0				
12/3		0	4				
12/4		1	4				
12/5		2	10				
13/1		1	15				
13/2		2	0				
13/3		3	0				
14/1		0	9				
14/2		7	11				
15/1		2	18				
15/2		1	3				
15/3		0	10				
33							
15/4		3	9				
16/1		4	4				
16/2		2	4				
16/3		1	12				
17/1		4	8				
17/2		3	0				
17/3		0	12				
18/1		2	6				
18/2		1	7				
18/3		0	16				
18/4		1	19				
18/5		1	7				
19/1		6	0				
19/2		2	0				
20		8	0				
21		7	12				
33							
22/1		2	7				
22/2		5	5				
23/1		1	9				
23/2		4	7				
23/3		1	13				
23/4		0	6				
				Total			
				387 12			

Simla-2, the 1st February, 1973

No. 17-94/72-SI.—Whereas it appears to the Governor of Himachal Pradesh that land is likely to be acquired to be taken by Government at the public expense for a public purpose, namely for the construction of Industrial Estate at village Sansarpur Terrace, Tehsil Dehragopipur, District Kangra, Himachal Pradesh, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Himachal Pradesh is pleased to authorise the officers for the time being engaged in undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality, may file objections to the Collector, Land Acquisition (Sub-Divisional Officer) (Civil), Dehragopipur, District Kangra within 30 days from the date of publication of the notification.

SPECIFICATION

District: KANGRA Tehsil: DEHRAGOPIPUR

Village 1	Khasra No. 2	Area	
		K. 3	M. 4
SANSARPUR	8	181	8
TERRACE.	588/9	43	8
	10	28	10
	593/11	2	3
	12	15	9
	13	3	1
	595/14	16	4

1	2	3	4	1	2	3	4
	15	3	1		38	4	8
	16	6	16		39	12	6
	17	3	8		40	3	12
	18	3	10		41	4	1
	19	3	13		42	4	8
	20	3	15		581/43	1	10
	21	34	11		582/43	1	10
	22	12	1		44	3	5
	23	7	18		45	2	8
	24	1	12		46	5	15
	25	4	13		47	16	6
	597, 26	5	1		48	1	17
	27	2	8		49	1	7
	28	1	6		50	0	16
	29	1	14		51	1	1
	30	1	2		52	0	9
	31	2	12		53	0	7
	32	2	5		59	1	9
	33	2	6				
	34	4	12				
	35	3	12				
	36	3	18				
	37	3	16				
					Total	466	18

By order,
P. K. MATTOO,
Secretary.

PART VII

ELECTION DEPARTMENT NOTIFICATION

Simla-2, the 1st February, 1973

No. 3-1 73-Elec.—The Election Commission of India's Notification No. 82/7 of 1972/HP-LA/73, dated the 8th January, 1973/Pausa 18, 1894 (Saka), containing the order dated the 4th December, 1972 of the High Court of Himachal Pradesh at Simla in Election Petition No. 7 of 1972, is hereby published for general information.

By order,
L. TOCHHAWNG,
Chief Electoral Officer.

ELECTION COMMISSION OF INDIA NOTIFICATION

Ashoka Road, New Delhi-1 the 8th January,
1973/Pausa 18, 1894 (Saka)

No. 82/7 of 1972/HP-LA/73.—In pursuance of section 111 of the Representation of the People Act, 1951, (43 of 1951), the Election Commission hereby publishes the order, dated the 4th December, 1972 of the High Court of Himachal Pradesh at Simla in Election Petition No. 7 of 1972.

IN THE HIGH COURT OF HIMACHAL PRADESH AT SIMLA-1 ELECTION PETITION NO. 7 OF 1972

Shri Sita Ram Petitioner.

Versus

Shri Lekh Ram and others Respondents

Shri Lekh Ram respondent No. 1 was declared elected on 11-3-72 to the Legislative Assembly of Himachal Pradesh from 11-Doon assembly constituency. Shri Sita

Ram filed an election petition challenging his election on a number of grounds.

After several hearings in the case, Shri Sita Ram made an oral request before the court that since he was not keeping good health, he may be permitted to withdraw the petition. A notice to this effect was given to the opposite party and a notice was also published in the official gazette in pursuance of the provisions of sub-section (2) of section 109 of the Representation of the People Act for the 28th October, 1972. But none appeared on that date to contest the application, and, therefore, the request for the withdrawal of the petition was allowed and the respondent was also awarded costs to the tune of Rs. 500 out of the security deposit made by the petitioner in the Court.

As required, under clause (b) of sub-section (3) of section 110 of the Representation of the People Act, the notice of withdrawal was ordered to be published in the official gazette and same was published in the Gazette, dated 18th November, 1972, and the case had been fixed for further proceedings on the 4th December, 1972.

Today the case was taken up in the Court in the presence of the counsel for the petitioner as also the counsel of the respondent No. 1, Shri Lekh Ram. No person has made any application for substitution in place of the petitioner who has withdrawn and, therefore, in these circumstances, the petition shall stand dismissed.

Let a report to this effect be sent to the Election Commission accordingly, as required under section 111 of the aforesaid Act.

Sd/-

CHET RAM THAKUR.

December 4, 1972.

By order,

B. N. BHARDWAJ.

Secretary to the Election Commission of India.